




भारत का राजपत्र

The Gazette of India

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 41]

नई दिल्ली, शनिवार, अक्टूबर 10, 1992/आश्विन 18, 1914

No. 41]

NEW DELHI, SATURDAY, OCTOBER 10, 1992/ASVINA 18, 1914

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह इसमें संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किये गये सांविधिक प्रावेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than
the Ministry of Defence)

विधि और न्याय मंत्रालय

(विधि कार्य विभाग)

सूचना

नई दिल्ली, 16 सितम्बर, 1992

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

(Judicial Section)

NOTICE

New Delhi, the 16th September, 1992

का.आ. 2541:— नोटरीज नियम, 1956 के नियम 6
के अनुसरण में सक्षम प्राधिकारी द्वारा वह सूचना दी जाती
है कि श्री प्रभु दयाल शर्मा, एडवोकेट ने उक्त प्राधिकारी को
उक्त नियम के नियम 4 के अधीन एक प्रावेदन इस बात के
लिए दिया है कि उसे तहसील अनूपशहर, जिला बुलन्दशहर,
उत्तर प्रदेश में व्यवसाय करने के लिए नोटरी के रूप में नियु-
क्ति पर किसी भी प्रकार का आपेक्षा इस सूचना के प्रकाशन के
चांदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5 (207)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

(3927)

S.O. 2541.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Prabhu Dayal Sharma, Advocate, for appointment as a Notary to practise in Tehsil Anup Shahar, Distt. Buland Shahar (Uttar Pradesh).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(207)/92-Judl.]
P. C. KANAN, Competent Authority

मूचना

नई दिल्ली, 16 सितम्बर, 1992

का.आ. 2542.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री लाल प्रताप सिंह एडवोकेट को उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बहराईच (सिविल कोर्ट) उत्तर प्रदेश में अवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(208)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th September, 1992

S.O. 2542.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Lal Pratap Singh Advocate for appointment as a Notary to practise in Baharaih (Civil Courts) (U. P.).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(208)/92-Judl.]

P. C. KANAN, Competent Authority

मूचना

नई दिल्ली, 16 सितम्बर, 1992

का.आ. 2543.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री सुकुमार चौधरी एडवोकेट ने उस प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे श्रीलोपुर (पश्चिम बंगाल) में अवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(21)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th September, 1992

S.O. 2543.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Shri Sukumar Chaudhuri Advocate, for appointment as a Notary to practise in Alipore Judges Courts, (West Bengal).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(210)/92-Judl.]

P. C. KANAN, Competent Authority

मूचना

नई दिल्ली, 16 सितम्बर, 1992

का.आ. 2544.—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्रीमति रत्ना भारगवन् एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे बम्बई (महाराष्ट्र) में अवसाय करने के लिए नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप से मेरे पास भेजा जाए।

[सं. 5(212)/92-न्यायिक]

पी.सी. कण्णन, सक्षम प्राधिकारी

NOTICE

New Delhi, the 16th September, 1992

S.O. 2544.—Notice is hereby given by the Competent Authority in pursuance of Rule 6 of the Notaries Act, 1956, that application has been made to the said Authority, under Rule 4 of the said Rules, by Mrs. Ratna Bhargavan Advocate for appointment as a Notary to practise in Bombay (Maharashtra).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(212)/92-Judl.]

P. C. KANAN, Competent Authority

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 6 जनवरी, 1992

आयकर

का.आ. 2545.—आयकर, अधिनियम, 1961 (1961 का 43) को भारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्राय सरकार एतद्वारा “एन.ए.वा. नायन्स होम फॉर एजिंग ब्लाइंड, बम्बई” को कर निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित जर्ती के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करता है, अर्थात्:—

(i) कर निर्धारित इसको आय का इस्तेमाल अथवा इसको आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यनया उन उद्देश्यों के लिए करेगा जिसके लिए इसको स्थापना का गई है;

(ii) कर-निर्धारित ऊपर उल्लिखित कर निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की तिथि भी अवधि के दोगन द्वारा 11 को उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक होंगे अथवा तरोंको ने भिन्न तरोंको ने इसके निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छक प्रशंसनात से भिन्न) का निवेश नहीं करेगा अथवा उमे जमा नहीं करेगा सकेगा;

(ii) यह अधिसूचना किसी ऐसा आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारितों के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अन्वय से लेखा-पुस्तिकाएं नहीं रखा जाता हों।

[सं. 8968/फा.सं. 197/1379/1-प्रायकर-नि.]
एस.के. चटर्जी, विशेष कार्य अधिकारी

MINISTRY OF FINANCE
(Department of Revenue)
New Delhi, the 6th January, 1992
(INCOME-TAX)

S.O. 2545.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The NAB Lions Home for Aging Blind, Bombay” for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8968/F. No. 197/137/91-IT.A.I.]

S. K. CHATTERJEE, Officer on Special Duty

नई दिल्ली, 6 जनवरी, 1992

आयकर

का.आ. 2546.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा “संजय गांधी मेमोरियल ट्रस्ट, नई दिल्ली” को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर उलिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अधिक एक से अधिक छंग अथवा

तरोंकों से भिन्न तरोंकों से इसकी निधि (जेवर-जबाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वच्छिक अंगठान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसा आय के संबंध में लागू नहीं होगा जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अन्वय से लेखा-पुस्तिकाएं नहीं रखो जाता हों।

[सं. 8969/फा.सं. 197/1468/9-प्रायकर-नि-1]
एस.के. चटर्जी, विशेष कार्य अधिकारी

New Delhi, the 6th January, 1992

(INCOME-TAX)

S.O. 2546.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Sanjay Gandhi Memorial Trust, New Delhi” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8969/F.No. 197/146/IT.A.I]
S. K. CHATTERJEE, Officer on Special Duty

शुद्धिपत्र

नई दिल्ली, 7 जनवरी, 1992

(आयकर)

का.आ. 2547.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रोय सरकार एवं द्वारा दिनांक 19-4-1991 को अपनो अधिसूचना संख्या 8872 (फा.सं. 197/36/91-प्रायकरनि.-1) में निम्नलिखित संशोधन करती है :

- (i) कर-निर्धारिती उसकी आय का इस्तेमाल अथवा उसकी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए नहीं करेगा, जिनके लिए उसकी स्थापना की गई

के लिए

(ii) करनिधारिती उसकी आय का इस्तेमाल करने के लिए उसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए उसकी स्थापना का गई है; पक्षे।

[संख्या 8973/फा.स. 197/36/91-आयकर नि-1]

एम ०के चटर्जी, विशेष कार्य अधिकारी

CORRIGENDUM

New Delhi, the 7th January, 1992

(INCOME-TAX)

S.O. 2547.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby makes the following correction in its notification No. 8872 (F. No. 197/36/91-IT.A.I.) dated 19-4-1991 :

For : (i) The assessee will not apply its income or accumulate it for application, wholly and exclusively to the objects for which it is established;

Read : (i) The assessee will apply its income or accumulate it for application, wholly and exclusively to the objects for which it is established;

[No. 8973/F. No. 197/36/91-IT.A.I.]

S. K. CHATTERJEE, Officer on Special Duty

नई दिल्ली, 7 जनवरी, 1992

आयकर

का. आ. 2548—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “भारतीय विद्या भवन, बम्बई” को करनिधारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(1) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;

(2) करनिधारिती ऊपर उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रखरखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभियास के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिती के उद्देश्यों

की प्राप्ति के लिए प्रासंगिक नहीं हो तो ऐसे कारोबार के संबंध में अवग में लेखा-पुनिकाण नहीं रखी जाती है।

[सं. 8975/फा.स. 197/146/91-आयकर नि.]

एम.के. चटर्जी, विशेष कार्य अधिकारी

New Delhi, the 7th January, 1992

(INCOME-TAX)

S.O. 2548.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Bharatiya Vidya Bhavan, Bombay” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8975/F. No. 197/146/91-IT.A.I.]

S. K. CHATTERJEE, Officer on Special Duty

नई दिल्ली, 7 जनवरी, 1992

आयकर

का. आ. 2549—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “मैसूर पुनर्वासी और विकास अभियान, बंगलौर” को करनिधारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) करनिधारिती ऊपर उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रखरखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकार्य नहीं रखी जाती हो।

[सं. 8976/फा. सं. 197/157/91-आयकर निः।]
एम. के. चट्टर्जी, विशेष कार्य अधिकारी

New Delhi, the 7th January, 1992

(INCOME-TAX)

S.O. 2549.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Mysore Resettlement and Development Agency (MYRADA), Bangalore" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8976/F. No. 197/157/91-IT.A.I.]
S. K. CHATTERJEE, Officer on Special Duty

नई दिल्ली, 27 जनवरी, 1992

(आयकर)

का. आ. 2550.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "इंडिया इंटरनेशनल सेन्टर 'नई दिल्ली' को कर निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निर्धारिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर-निर्धारिति ऊपर उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों में गिर तरीकों में इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा

रख-रखाव में स्वीकृत अंशदान से भिन्न का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकार्य नहीं रखी जाती हो।

[सं. 8987/फा. सं. 197/12/92-आयकर निः 1]
शरत चन्द्र, अवर सचिव

New Delhi, the 27th January, 1992

(INCOME-TAX)

S.O. 2550.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "India International Centre, New Delhi" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8987/F. No. 197/12/92-IT.A.I.]
SARAT CHANDRA, Under Secy.

नई दिल्ली, 5 फरवरी, 1992

(आयकर)

का. आ. 2551.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "मेडिकल रिसर्च फाउण्डेशन, मद्रास" को कर निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर निर्धारिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (2) कर निर्धारिति ऊपर उल्लिखित कर निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों में भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव

में स्वेच्छिक अंशदान ने भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा नकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के स्वप में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[म. 8988/फा. सं. 197/37/91-आयकर नि-1]

शरत चन्द, अवर सचिव

New Delhi, the 5th February, 1992

(INCOME-TAX)

S.O. 2551.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Medical Research Foundation, Madras" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions namely:—

(i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of account are maintained in respect of such business.

[No. 8988/F. No. 191/37/91-IT.A.I.]

SARAT CHANDRA, Under Secy.

शुद्धि पत्र

नई दिल्ली, 12 फरवरी, 1992

(आयकर)

का.आ. 2552.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 (बंड (23-ग) के उपबंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा दिनांक 19 नवम्बर, 1991 की अपनी अधिसूचना सं. 8943 (फा. सं. 197/23/91-आयकर नि. 1) में निम्नलिखित मांशोंपन करती है।

श्री नरलाल, जगदगुरु ब्रह्म समठ, मिरिगेरे, कर्नाटक के लिए

श्रीमद् उच्चयनी मद्धर्म मिहासन श्री धरखादाल, जगदगुरु ब्रह्म समठ, मिरिगेरे, कर्नाटक पृष्ठ 1 जाए।

[संख्या 8994 फा. सं. 197/23/91-आयकर नि-1]

शरत चन्द, अवर सचिव

CORRIGENDUM

New Delhi, the 12th February, 1992

(INCOME-TAX)

S.O. 2552.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby

makes the following correction in its notification No. 8943 (F. No. 197/23/91-IT.A.I.) dated 19-11-1991.

For : Sri Taralabalu Jagadguru Brihanmath, Sirigere, Karnataka.

Read : Srimadujayini Saddharma Simhasana Sri Taralabalu Jagadguru Brihanmath, Sirigere, Karnataka.

[No. 8994/F. No. 197/23/91-IT.A.I.]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 12 फरवरी, 1992

आयकर

का.आ. 2553.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के बंड (23-ग) के उपबंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "वाइल लाइफ एसोसिएशन आफ साउथ इंडिया, बंगलौर" को कर-निर्धारण वर्ष 1992-93 से 1994-95 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपबंड के प्रयोगतार्थ अधिसूचित करती है, प्रयातः—

(i) कर-निर्धारिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्यतया नया अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिति ऊपर उलिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा।

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के स्वप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रारम्भिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[सं. 8997 फा. सं. 197/189/91-आयकर नि.-1]

शरत चन्द, अवर सचिव

New Delhi, the 12th February, 1992

(INCOME-TAX)

S.O. 2553.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Wild Life Association of South India, Bangalore" for the purpose of the said clause for the assessment years 1992-93 to 1994-95 subject to the following conditions, namely:—

(i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8997/F. No. 197/189/91-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 12 फरवरी, 1992

प्रायकर

का. शा. 2554 :—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (IV) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय भरकार एन्डडारा “इंडियन सिल्क प्रमोशन काउंसिल, बम्बई” को कर-निर्धारण वर्ष 1990-91 तथा 1991-92 तक के लिए निम्नलिखित शर्तों के अध्यवधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अवधारणकों आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण से संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अवधारणा एक से अधिक दुंग अवधारणार्थीकों से भिन्न तरीकों से इसका निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अवधारणा उसे जमा नहीं करवा सकेगा।

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त नाभ तथा अभिनाभ वे रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों के प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में ग्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[म. 8996/का. म. 297/138/91—प्रायकर नि.-1]
ग्रत चन्द्र, अवर सचिव

New Delhi, the 12th February, 1992

(INCOME-TAX)

S.O. 2554.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby

notifies “Indian Silk Export Promotion Council, Bombay” for the purpose of the said sub-clause for the assessment years 1990-91 to 1991-92 subject to the following conditions, namely :—

(i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;

(ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8996/F. No. 197/138/91-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 12 फरवरी, 1992

प्रायकर

का. शा. 2555 :—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन्डडारा “सेन्टर फार माइम एण्ड इन्वेस्टमेंट” को कर-निर्धारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्यवधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अवधारणकों आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अवधारणा एक से अधिक दुंग अवधारणार्थीकों गे भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान में भिन्न) का निवेश नहीं करेगा अवधारणा उसे जमा नहीं करवा सकता;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त नाभ तथा अभिनाभ वे रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों के प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में ग्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[म. 8995/का. म. 197/26/91—प्रायकर नि.-1]
ग्रत चन्द्र, अवर सचिव

New Delhi, the 12th February, 1992

(INCOME-TAX)

S.O. 2555.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Centre for Science and Environment, New Delhi" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8995/F. No. 197/26/91-IT.A.I.]

SHARAT CHANDRA, Under Secy

नई दिल्ली, 12 फरवरी, 1992

श्रायकर

का. आ. 2556 :—श्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन्ड्वारा "नवजीवन ट्रस्ट, अहमदाबाद" को कर-निर्धारण वर्ष 1991-92 से 1993-94 तक के के लिए निम्नलिखित गतों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के स्पष्ट में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में नागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिनाश के रूप में हो जबकि कि ऐसी कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रामाणिक नहीं हो तथा ऐसे

कारोबार के संबंध में प्रस्तुत न भेखा-प्रस्तुतिकारण नहीं रखी जाती है।

[सं. 8993/पा. सं. 197/9/91-श्रायकर फि. -1]
श्रायकर अधिनियम

New Delhi, the 12th February, 1992

(INCOME-TAX)

S.O. 2556.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Navjivan Trust, Ahmedabad" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 8993/F. No. 197/9/91-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 14 फरवरी, 1992

श्रायकर

का. आ. 2557 :—श्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एन्ड्वारा "कन्यामर गाइडेन्स सोसायटी ऑफ इण्डिया" को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करता है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसको स्थापना की गई है;
- (ii) कर-निर्धारितों ऊपर-उल्लिखित कर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों को किसी भी अवधि के द्वारा धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसका निधि (जेवर-जवाहिरात, फर्नीचर, आदि के स्पष्ट में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा—
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में नागू नहीं होगी, जोकि कारोबार से प्राप्त

लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त-कर्त्तव्यादितों के उद्देश्यों का प्राप्ति के लिए प्रासारिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेधा-पुस्तिकां नहीं रखा जाता हो।

[सं. 9000/फा. नं. 197/58/88—आपकर नि.-1]

शरत चन्द्र, अवर सचिव

New Delhi, the 14th February, 1992

(INCOME-TAX)

S.O. 2557.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Consumer Guidance Society of India" for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely:—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9000/F. No. 197/58/88-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 26 फरवरी, 1992

(आपकर)

का. आ. 2558 :—आपकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त अक्षियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा "गुजरात प्रदूषण नियंत्रण बोर्ड" को 1989-90 से 1991-92 तक के कर-नियार्थण वर्षों के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है अर्थात्:—

- कर-नियार्थिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उत्तम उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- कर-नियार्थिती ऊर्जा-उत्तिष्ठित कर-नियार्थण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक डंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना इसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त-कर्त्तव्यादितों के उद्देश्यों का प्राप्ति के लिए प्रासारिक नहीं हो तथा ऐसे कारोबार के संबंध में प्रत्याप से लेव्ह-पुस्तिकां नहीं रखी जाती हों।

[सं. 9005/फा. नं. 197/76/89—आपकर नि.-1]

शरत चन्द्र, अवर सचिव

New Delhi, the 26th February, 1992

(INCOME-TAX)

S.O. 2558.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Gujarat Pollution Control Board" for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely:—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9005/F. No. 197/76/89-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 17 मार्च, 1992

(आपकर)

का. आ. 2559 :—आपकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त अक्षियों का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा "होमी भासा फैलोशिप काउंसिल बम्बई", को कर-नियार्थण वर्ष 1991-92, 1992-93 तथा 1993-94 तक के लिए निम्नलिखित शर्तों के लिए अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- कर-नियार्थिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उत्तम उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- कर-नियार्थिती ऊपर उल्लिखित कर-नियार्थण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक डंग अथवा तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

निवेश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी आय के सम्बन्ध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में अलग से लेखा-पुस्तिकाएं नहीं रखीं जाती हों।

[सं. 9010/फा.सं. 197/15/92-आयकर-नि.-1)]
शरत चन्द्र, अवार सचिव

New Delhi, the 17th March, 1992

(INCOME-TAX)

S.O. 2559.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Homi Bhabha Fellowships Council, Bombay" for the purpose of the said sub-clause for the assessment years 1991-92, 1992-93 and 1993-94 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the object for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9010/F. No. 197/15/92-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 26 मार्च, 1992

(आयकर)

का.आ. 2560 :—आयकर अधिनियम, 1961 (1961

का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वाय प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "चिल्ड्रन्स बुक ट्रस्ट, नई दिल्ली में" को कर-निर्धारण वर्ष 1989-90 से 1991-92 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- कर-निर्धारिति इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसक संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- कर-निर्धारिति उपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियमित किसी एक अर्थवा एक से अधिक ढंग अर्थवा बटीकों से भिन्न सरीकों से इसकी निधि (जेवर

जयाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवैश नहीं करेगा अर्थवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखीं जाती हों।

[सं. 9017/फा.सं. 197/176/89-आयकर नि.-1]

शरत चन्द्र, अवार सचिव

New Delhi, the 26th March, 1992

(INCOME-TAX)

S.O. 2560.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Children's Book Trust, New Delhi" for the purpose of the said sub-clause for the assessment years 1989-90 to 1991-92 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the object for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9017/F. No. 197/176/89-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 2 जुलाई, 1992

(आयकर)

का.आ. 2561 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वाय प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "युसुफ मेहदरखलो सैटर, बम्बई" को 1992-93 1993-94 तथा 1994-95 के कर-निर्धारण वर्षों के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

- कर-निर्धारिति इसकी आय का इस्तेमाल अर्थवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- कर-निर्धारिति ऊपर उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियमित

(2) इष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रब-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिति के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[सं. 9049/फा. सं. 197/73/92-आयकर नि.-1]
भारत चन्द्र, भवर सचिव

New Delhi, the 2nd July, 1992
(INCOME-TAX)

S.O. 2561.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Yusuf Meherally Centre, Bombay" for the purpose of the said sub-clause for the assessment years 1992-93, 1993-94, 1994-95 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9049/F. No. 197/73/92-IT.A.I]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 14 जुलाई, 1992

(आयकर)

का.आ. 2562 :—आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के 2945 (23-ग) के उपबंड (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "ज्ञाराद लेपरोसी प्रोजेक्ट कलकत्ता" को करनिधारिण वर्ष 1988-89 से 1990-91 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपबंड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

(1) करनिधारिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका नियन्त्रण पूर्णतया तथा अनन्यन्तया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;

(2) करनिधारिति पर-उल्लिखित करनिधारिण वर्ष से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर, जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रब-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के संबंध में नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिति के उद्देश्यों का प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[सं. 9052 /फा. सं. 197/11/88-आयकर नि.-1]
भारत चन्द्र, भवर सचिव

New Delhi, the 14th July, 1992

(INCOME-TAX)

S.O. 2562.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Thargram Leprosy Project, Calcutta" for the purpose of the said sub-clause for the assessment years 1988-89 to 1990-91 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9052/F. No. 197/11/88-IT.A.I]
SHARAT CHANDRA, Under Secy

नई दिल्ली, 14 जुलाई, 1992

(आयकर)

का.आ. 2563 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपबंड (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "सावंजनिक सहायता संस्थान, गोवा" को करनिधारिण वर्ष 1985-86 से 1987-88 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपबंड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

(1) करनिधारिति इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका

संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए उसकी स्थापना की गई हो;

(2) कर-निर्धारिती उत्तर-उत्तराखिंच कर-निर्धारित वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी एक अवधि एक से अधिक लंग तथा अवधि तरीकों से भिन्न तरीकों में इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(3) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में ग्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[स. 9053 /फा.सं. 197/18/90-आयकर नि.-1]
शरत चन्द्र, अवर सचिव

New Delhi, the 14th July, 1992

(INCOME-TAX)

S.O. 2563.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Institute of Public Assistance, Goa" for the purpose of the said sub-clause for the assessment years 1985-86 to 1987-88 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9053/F. No. 197/18/90-IT.A.I]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 4 अगस्त, 1992

(आयकर)

का.आ. 2564 :—आयकर प्रधिनियम, 1961 (1963 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा अप्रैल 1991-92 से 1993-94 तक के लिए मिस्ट्री

निविंग शर्तों के प्रधानमंत्री रहते हुए उक्त उपखंड के प्रयोग-नार्थ अनियुक्तिन करती है, अर्थात् :—

- कर-निर्धारिती उन्हों आय के इस्तेवान प्रथम इष्टभी अवधि के इसीमात्र करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए उसकी स्थापना की गई है;
- कर-निर्धारिती उत्तर-उत्तराखिंच कर-निर्धारित वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनियोगित किसी भी एक अवधि एक से अधिक लंग तथा अवधि तरीकों से भिन्न तरीकों से एककी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-खाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा अभिनाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों को प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में ग्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[स. 9062/फा.सं. 197/62/91-आयकर नि.-1]
शरत चन्द्र, अवर सचिव

New Delhi, the 4th August, 1992

(INCOME-TAX)

S.O. 2564.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Gadge Maharaj Mission, Bombay" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9062/F. No. 197/61/91-IT.A.I]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 4 अगस्त, 1992

(आयकर)

का.आ. 2565 :—आयकर प्रधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (4) द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार द्वारा प्रबल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार

एतद्वारा “एस.ओ.एस. विल्डल्स विलेज औफ इण्डिया, नई दिल्ली” को कर-निधारण वर्ष 1991-92 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यात्म रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निधारिती इसकी आय का इस्तेमाल अवश्य इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनमें लिए इसकी स्थापता की गई है;
- (2) कर-निधारिती ऊपर-उल्लिखित कर-निधारण वर्षों में संगत वर्षों की किसी भी अवधि के दौरान धारा-11 की उपधारा (5) में विनिर्दिष्ट किसी एक अवश्य एक से अधिक ढंग अवश्य तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अवश्य उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लाग नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ से, के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[सं. 9063/(फा.सं. 197/120/90—प्रायकरनि.-1)]

शरत चन्द्र, अवर सचिव

New Delhi, the 4th August, 1992

(INCOME-TAX)

S.O. 2565.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “SOS Children’s Village of India, New Delhi” for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9063/F. No. 197/120/90-IT.A.I.]
SHARAT CHANDRA, Under Secy.

नई दिल्ली, 19 अगस्त, 1992

(आयकर)

का.आ. 2566:—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखंड (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “सर्वेंट्स औफ इंडिया सोसाइटी, पुणे” को कर-निधारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यात्म रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

- (1) कर-निधारिती इसकी आय का इस्तेमाल अवश्य इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनमें लिए इसकी स्थापता की गई है;
- (2) कर-निधारिती ऊपर-उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अवश्य एक से अधिक ढंग अवश्य तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अवश्य उसे जमा नहीं करवा सकेगा;
- (3) यह अधिसूचना किसी ऐसी आय के संबन्ध में लाग नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निधारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसे कारोबार के संबन्ध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[सं. 9071 (फा.-र. 197/78/92-ग्रा.कर-नि.-1)]

शरत चन्द्र, अवर सचिव

New Delhi, the 19th August, 1992

(INCOME-TAX)

S.O. 2566.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Servants of India Society, Pune” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless

the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9071/F. No. 197/78/92-IA(A-I)]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 19 अगस्त, 1992

(आयकर)

का.प्रा. 2567.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा “दि रायल कामनवैत्य सोसायटी फार दि ब्लाइंड, बम्बई” को करनिधारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है अर्थात् :—

- (i) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिए इसका संचयन सूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;
- (ii) करनिधारिती उपर-उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उस करनिधारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में भ्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[अधिसूचना सं. 9072/फा.सं. 197/197/89-आयकर-नि.)]
शरत चन्द्र, अवर सचिव

New Delhi, the 19th August, 1992

(INCOME-TAX)

S.O. 2567.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “the Royal Commonwealth Society for the Blind, Bombay” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established ;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.)

for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11 ;

- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9072/F. No. 197/197/89-IT.A.I.]

SHARAT CHANDRA, Under Secy.

नई दिल्ली, 7 मई, 1992

(आयकर)

का.प्रा. 2568.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतदद्वारा “रूरल एवेलपमेंट अर्टेनाइजेशन अर्वनकड़ु, नीलगिरि” को करनिधारण वर्ष 1992-93 से 1994-95 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (1) करनिधारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करते के लिए इसका संचयन सूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है ;
- (ii) करनिधारिती उपर-उल्लिखित करनिधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक दो अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिधारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में भ्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों ।

[सं. 9025/फा.सं. 197/230/89-आयकर नि.-1]
केशव देव, उप सचिव

New Delhi, the 7th May, 1992

(INCOME-TAX)

S.O. 2568.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Rural Development Organisation, Aruvankadu, Nilgiris” for the purpose of the said sub-clause for the assessment

ment years 1992-93 to 1994-95 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9025 (F. No. 197/230/89-JT(A-I)]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 13 मई, 1992

आयकर

का. आ. 2569—आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “पंजाब स्त्री सभा राहत ट्रस्ट” को करनिधारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त-उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती उपर-उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, कर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह अधिसूचना किसी ऐसी आय के सम्बन्ध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त-कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के सम्बन्ध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[सं. 9026/का. सं. 197/101/91-आयकर नि. 2-I]
केशव देव, उप सचिव

New Delhi, the 13th May, 1992

(INCOME-TAX)

S.O. 2569.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “Punjab Istri Sabha Relief Trust” for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9026 (F. No. 197/151/91-ITA.1)]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 29 मई, 1992

आयकर

का. आ. 257.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा “संघ-सेवा संघ, सेव-प्राप्त, वर्धा” को करनिधारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त-उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया जन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक छंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, कर्नीचर आदि ५८ रु. में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा ;
- (iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अन्तर्गत से लेखा पुस्तिकाएं नहीं रखी जाती हों।

[सं. 9031/का. सं. 197/99/90-आयकर -I]
केशव देव, उप सचिव,

New Delhi, the 29th May, 1992

(INCOME-TAX)

S.O. 2570.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Sarva Seva Sangh, Sevagram, Wardha" for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9031 (F. No. 197/99/90-IAT.I)]

KESHAV DEV, Dy. Secy.

नई दिल्ली, 29 अगस्त, 1992

(आयकर)

का. आ. 2571—आयकर प्रविधियम, 1961 (1961 का 43) की धारा 10 के अंडे (23-ग) के उपर्योग (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वैदीय सरकार एवं द्वारा "विहारी संबंध, बंगलौर" को कर-निधारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्ययनीन रहते हुए उक्त उद्देश्य के प्रयोगनार्थ प्रधिसूचित करती है, यथात् :—

- (i) कर-निधारिती इयकी आय का इस्तेमाल व्यथा हमकी आर का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्तरात्मा उत्तर उद्देश्यों के लिए होगा, जिनके लिए इपकी स्थिता की गई है;
- (ii) कर-निधारिती ऊपर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 को उपाया 11 (5) में विनियित किसी एक अवया एक से अविकृद्ध द्वारा व्यथा तरोंको से भिन्न तरीकों से इसकी निधि (जेवर-ज्याहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशशान से भिन्न) का निवेदन नहीं करेगा अथवा उसे जमा नहीं करवा गलेगा;
- (iii) यह अधिसूचना किसी एक ऐसी आय के संबंध में लाग नहीं होगी, जोकि कारोबार से प्राप्त तात्पर्य अभिलाभ के रूप में हो जद्युतक कि ऐसा कारोबार उक्तकार-निधारिती के उद्देश्यों की प्राप्ति के लिए प्रारंभिक नहीं हो

गया एवे भारतीय के संबंध में प्रश्न से विश्वासनिकार मही लावे जाती है।

[प. 9033/ग.च. 197/64/90-आयकर मि.-I]
लेख देव, उप सचिव

New Delhi, the 29th May, 1992

(INCOME-TAX)

S.O. 2571.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "The Association of the Physically Handicapped, Bangalore" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9033 (F. No. 197/64/90-I.T.A.)]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 29 मई, 1992

(आयकर)

का. आ. 2571—आयकर प्रविधियम, 1961 (1961 का 43) की धारा 10 के अंडे (23-ग) के उपर्योग (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वैदीय सरकार एवं द्वारा "विहारी संबंध, बंगलौर" को कर-निधारण वर्ष 1991-92 से 1993-94 तक के लिए निम्नलिखित शर्तों के अध्ययनीन रहते हुए उक्त उद्देश्य के प्रयोगनार्थ प्रधिसूचित करती है, यथात् :—

- (i) कर-निधारिती इयकी आय का इस्तेमाल व्यथा इसको आय का इस्तेमाल करने के लिए इसकी संगत पूर्णतया उत्तर उपाया 11 (5) में विनियित किसी एक अवया एक से अविकृद्ध द्वारा व्यथा तरोंको से भिन्न तरीकों से उसकी निधि (जेवर-ज्याहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक अंशशान से भिन्न) का निवेदन नहीं करेगा अथवा उसे जमा नहीं करवा गलेगा;
- (ii) कर-निधारिती ऊपर उल्लिखित कर-निधारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 को उपाया 11 (5) में विनियित किसी एक अवया एक से अविकृद्ध द्वारा व्यथा तरोंको से भिन्न तरीकों से उसकी निधि (जेवर-ज्याहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव में

स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा यथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त-कर निर्धारिती उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[सं. 9032/फा.सं. 197/164/91-ग्रायकर नि. I]
केशव देव, उप सचिव

New Delhi, the 29th May, 1992

(INCOME-TAX)

S.O. 2572.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "West Bengal Council for Child Welfare, Calcutta" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established.
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9032/F. No. 197/164/91-IT.A.I]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 3 जून, 1992

ग्रायकर

का.आ. 2573 :—ग्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "मोतीलाल मैमोरियल सोसायटी लखनऊ" को करनिर्धारण वर्ष 1991-92 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :

- (i) करनिर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है;
- (ii) करनिर्धारिती ऊपर-उल्लिखित करनिर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी

अवधि के दौरान धारा II की उप-धारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक द्वंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखवा में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा यथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त करनिर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तकाएं नहीं रखी जाती हों।

[सं. 9039/फा.सं. 197/4/91-ग्रायकर नि. II]
केशव देव, उप सचिव

New Delhi, the 3rd June, 1992

(INCOME-TAX)

S.O. 2573.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Motilal Memorial Society, Lucknow" for the purpose of the said sub-clause for the assessment years 1991-92 to 1993-94 subject to the following conditions, namely :—

- (i) the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established.
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- (iii) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9039/F. No. 197/4/91-IT.A.I]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 3 जून, 1992

ग्रायकर

का.आ. 2574 :—ग्रायकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (iv) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "दि सी० पी० रामास्वामी अथर फाउण्डेशन, मद्रास" को करनिर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अध्यधीन रहते हुए उक्त उपखण्ड के प्रयोजनार्थ अधिसूचित करती है, अर्थात् :—

- (i) करनिर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका

मन्त्रयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए कार्रवा, जिनके लिए इसकी स्थापना की गई है;

(ii) कर निर्धारिती उपर-उल्लिखित कर निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिदिष्ट किसी एक अथवा एक से अधिक तीन अथवा तीनों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, कर्मचिर आदि के रूप में प्राप्त तथा गत-रवाच में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी शाय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिनाश के स्प में हो जब तक कि ऐसा कारोबार उक्त कर निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसे कारोबार के संबंध में अनन्य से लेवा पृष्ठियां नहीं रखी जाती हों।

[मा० 9038/फा० मा० 197/132/89—आयकर नि०-I]
केशव देव, उप सचिव

New Delhi, the 3rd June, 1992
(Income-Tax)

S.O. 2574.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “The C. P. Ramaswami Aiyar Foundation, Madras” for the purpose of the said sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[No. 9038/F. No. 197/132/89-IT.A.I.]
KESHAV DEV, Dy. Secy.

नई दिल्ली, 3 जून, 1992

आयकर

फा. आ० 2575 :—आयकर अधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपर्युक्त (iv) धारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एसद्वारा “तेशनल कारउण्डेशन फौर कम्पनील हारमनी” को 1992-93

मे० 1994-95 तक के कर निर्धारण वर्षों के लिए निम्न-विवित शर्तों के अध्यर्थन रहने हुए उक्त उपर्युक्त के प्रयोग-भार्य अधिसूचित करती हैं, अर्थात्—

- कर निर्धारिती इसकी आय वा इसेमाल अथवा इसकी आय का इसेमाल करने के लिए इसका गंतव्यन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;
- कर-निर्धारितों उपर-उल्लिखित वर-निर्धारण वर्षों में संगत पूर्ववर्ती वर्षों की विवारी भी अवधि के दौरान धारा 11 की अधारा (5) में विनिदिष्ट किसी एक अथवा एक से अधिक तीन अथवा तीनों ने भिन्न तरीकों में इसकी निधि (जेवर-जवाहिरात, कर्मचिर आदि के रूप में प्राप्त तथा गत-रवाच में स्वेच्छिक अंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- यह अधिसूचना किसी ऐसी शाय के संबंध में लागू नहीं होगी, जोकि कारोबार से प्राप्त लाभ तथा अभिनाश के स्प में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्राप्तिक नहीं हो तथा ऐसे कारोबार के संबंध में अनन्य से लेवा पृष्ठियां नहीं रखी जाती हों।

[मा० 9040/फा० मा० 197/54/92—आयकर नि०-I]
केशव देव, उप सचिव

New Delhi, the 3rd June, 1992

(INCOME-TAX)

S.O. 2575.—In exercise of the powers conferred by sub-clause (iv) of clause (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the “National Foundation for Communal Harmony” for the purpose of the said sub-clause for the assessment years 1992-93 to 1994-95 subject to the following conditions, namely :—

- the assessee will apply its income, or accumulate it for application, wholly and exclusively to the objects for which it is established;
- the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of section 11;
- this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business

[No. 9040/F. No. 197/54/92-IT.A.I.]
KESHAV DEV, Dy. Secy.

आदेश

नई दिल्ली, 4 सितम्बर, 1992

स्वाक्षर्य

फा० आ० 2576 :—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1)

के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतद्वारा, रिजन्ज टालब्रोस लिमिटेड, मई दिल्ली को दो लाख सनाती हजार और पच्चीस रुपए तात्र के उस समेकित स्टाम्प शुल्क का भुगतान करने वी प्राप्ति प्रदान करती है जो उक्त व्यक्ति द्वारा जारी किए जाने वाले दो करोड़, उन्हींने लाख और बासठ हजार रुपए मात्र के कुल मूल्य के 1 से 191350 तक (दोनों को शामिल नहीं हुए) संख्या के 14 प्रतिशत सुरक्षित विभेद्य प्राप्ति: परिवर्तनीय क्रणपद्धार्य पर स्टाम्प शुल्क के कारण प्रभाव्य है।

[सं. 5/92-स्टाम्प फा. भं. ३३/७/९२-बी० क०]
ठाकुर दत्त, उप सचिव

ORDER

New Delhi, the 4th September, 1992

STAMPS

S.O. 2576.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1989 (2 of 1989), the Central Government hereby permits the Reinz Talbroos Limited, New Delhi, to pay consolidated stamp duty of rupees two lakhs eighty seven thousand and twenty five only chargeable on account of the stamp duty on 14% Secured Redeemable Partly Convertible Debentures numbered 1 to 191350 (both inclusive) of the aggregate face value of rupees two crores, twenty nine lakhs and sixty two thousand only to be issued by the said company.

[No. 5/92-Stamp F. No. 33/7/92-ST]
THAKUR DATT, Dy. Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

मई दिल्ली, 15 सितम्बर, 1992

का० आ० 2577.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 19 की उपधारा (2) के उपबन्ध धूनियन बैंक ऑफ इंडिया पर गिरवीदार के रूप में उसके द्वारा धारित मैसर्स बर्नेंट शेल्य स्टोल लिं. और मैसर्स बर्नेंट ट्रूस्य लिं. के शेयरों के मंजूब में, अधिसूचना की तारीख से दो वर्षों की अवधि के लिए लागू नहीं होगा।

[सं. 15/७/९२-बी० ओ० ए०]
के० के० मंगत, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 15th September, 1992

S.O. 2577.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declare that the provisions of sub-section (2) of section 19 of the said Act shall

not apply to Union Bank of India for a period of two years from the date of notification in respect of its holding shares of M/s. Basant Alloy Steel Limited and M/s. Basant Tubes Limited, as pledgee.

[No. 15/7/92-B.O.A.]
K. K. MANGAL, Under Secy.

मई दिल्ली, 15 सितम्बर, 1992

का० आ० 2578.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ब की उपधारा (1) एवं (2) के उपबन्ध, भारत ऑवरसीज बैंक लिमिटेड, पर 4 सितम्बर, 1992 से 3 दिसम्बर, 1992 को तीन महीनी वी प्रबंधि के लिए या नए अध्यक्ष एवं मुख्य कार्यपालक अधिकारी के पदभार ग्रहण करने तक, इनमें से जो भी पहले हो, लागू नहीं होगे।

[संख्या 15/८/९२-बी० ओ० ए० (I)]
के० के० मंगत, अवर सचिव

New Delhi, the 15th September, 1992

S.O. 2578.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of Section 10B of the said Act, shall not apply to the Bharat Overseas Bank Limited, for a period of three months from 4th September, 1992 to 3rd December, 1992 or till the new Chairman and Chief Executive Officer takes charge, whichever is earlier.

[No. 15/8/92-B.O.A.(1)]
K. K. MANGAL, Under Secy.

मई दिल्ली, 15 सितम्बर, 1992

का० आ० 2579.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिशों पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10 ब की उपधारा (9) के उपबन्ध भारत ऑवरसीज बैंक लिमिटेड, पर 4 सितम्बर, 1992 से 3 दिसम्बर, 1992 तक अध्यक्ष बैंक के नए अध्यक्ष की नियुक्ति होने तक इनमें से जो भी पहले हो, उप सीमा तक लागू नहीं होगे, जहां तक बैंक को चार महीनों में अधिक के बास्ते अध्यक्ष एवं मुख्य कार्यपालक अधिकारी का काम करने के लिए किसी व्यक्ति की नियुक्ति करने की छूट प्राप्त है।

[संख्या 15/८/९२-बी० ओ० ए० (II)]
के० के० मंगत, अवर सचिव

New Delhi, the 15th September, 1992

S.O. 2579.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), The Central Government on recommendations of the Reserve Bank of India hereby declares that the provisions of sub-sections (9) of section 10B of the said Act, shall not, to the extent they preclude the bank from appointing a person to carry out the duties of a Chairman beyond a period exceeding four months, apply to the Bharat Overseas Bank Limited, from 4th September, 1992 to 3rd December, 1992 or till the new Chairman and Chief Executive Officer takes charge whichever is earlier.

[No. 15/8/92-B.O.A. (ii)]
K. K. MANGAL, Under Secy.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2580.—राष्ट्रीय कृषि और ग्रामीण विकास बैंक अधिनियम, 1981 की धारा 6 की उपधारा (1) के खण्ड (ङ) के अनुसरण में केन्द्रीय सरकार एतद्वारा आ. एम. एस. गिल, कृषि मंत्रालय, कृषि तथा सहकारिता विभाग, नई दिल्ली को श्री आर० सौ० कपिला के स्थान पर राष्ट्रीय कृषि और ग्रामीण विकास बैंक के निदेशक के रूप में नियुक्त करती है।

[संभा एफ. 7/4/90-बी आ (I)]
एम. एस. सीतारामन, अवर सचिव

New Delhi, the 16th September, 1992

S.O. 2580.—In pursuance of clause (e) of sub-section (1) of Section 6 of the National Bank for Agriculture and Rural Development Act, 1981, the Central Government hereby appoints Dr. M. S. Gill, Secretary, Ministry of Agriculture, Department of Agriculture and Cooperation, New Delhi as Director of National Bank for Agriculture and Rural Development vice Shri R. C. Kapila.

[No. 7/4/90-B.O.I]
M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 22 सितम्बर, 1992

का. आ. 2581.—प्रारंभो एस्टेट बैंक (प्रत्युषो बैंक) अधिनियम, 1959 (1959 का. 38) की धारा 26 की उपधारा (1) और उपधारा (2A) के साथ पठित धारा 25 की धारा (1) के खण्ड (ग ख) के अनुसरण में केन्द्रीय सरकार एतद्वारा इन समय स्टेट बैंक ऑफ हैदराबाद, प्रधान कार्यालय हैदराबाद में तैनात अधिकारी (एम. एम. एस्टेट-III) श्री अर्नेत्टलूण राव को स्टेट बैंक ऑफ हैदराबाद के उन कर्मचारियों में से जो कर्मचार नहीं हैं, विनांक 22 सितम्बर, 1992 से तीन वर्षों की अवधि के लिए या जब तक वे स्टेट बैंक ऑफ हैदराबाद का अधिकारी पद छोड़ नहीं देते, इनमें से जो भी पहले हो, स्टेट बैंक ऑफ हैदराबाद के निदेशक मण्डल में निदेशक के रूप में नियुक्त करती है।

[संभा 9/29/91—बीआ (I)]
एम. एस. सीतारामन, अवर सचिव

New Delhi, the 22nd September, 1992

S.O. 2581.—In pursuance of clause (cb) of sub-section (1) of section 25 read with sub-section (1) and sub-section (2A) of section 26 of the State Bank of India (Subsidiary Banks) Act, 1959 (38 of 1959), the Central Government hereby appoints Shri A. Ananthakrishna Rao, Officer (MM Scale-III), presently posted in the Head Office, State Bank of Hyderabad, Hyderabad, as a Director on the Board of the State Bank of Hyderabad, from among the employees of the State Bank of Hyderabad, who are not workmen, for a period of three years with effect from the 22nd September, 1992 or until he ceases to be an officer of the State Bank of Hyderabad, whichever is earlier.

[No. 9/29/91-B.O.]
M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2582.—बैंककारी विनियमन अधिनियम, 1949 (1949 का. 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा (1) के उपर्युक्त शिरोग को आपरेटिव अर्बन बैंक नि., शिरोग मेषालय पर, भारत के राजपत्र में प्रकाशित होने की तारीख में 30 जून, 1993 तक की अवधि के लिए लागू नहीं होगी।

[एफ. संभा 10/2/91-विकास]
संजित्यर सिंह लक्ष्मण, संयुक्त निदेशक

New Delhi, the 16th September, 1992

S.O. 2582.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Sub-section (1) of Section 11 of the said Act shall not apply to the Shillong Co-operative Urban Bank Ltd., Shillong, Meghalaya, for the period from the date of publication of this notification in the Gazette of India upto 30th June, 1993.

[F. No. 10(2)/91-Dev.]
TEJINDER SINGH LASCHAR, Jr. Director.

आयकर आयुक्त
पश्चिम बंगाल-8 का कर्यालय

कलकत्ता, 15 जून, 1992

प्रधिसूचना संभा 2/92-93

का. आ. 2583.—आयकर अधिनियम 1991 का धारा 120 को उपधारा (1) व (2) के अन्तर्गत मुझे प्रदत्त शक्तियों का प्रयोग करते हुए श्रीराम लंबंश में समस्त पूर्व आदेशों का अधिकार प्रदान हुए, में आयकर आयुक्त पश्चिम बंगाल-8 कलकत्ता, एलद्वारा निदेश देना हूँ कि नीचे दी गयी अनुसूची के संभ (2) में वर्णित नियर्धित अधिकारी निम्नलिखित अनुसूची के संभ 3 में वर्णित निम्नप्रकार व्यक्तियों के बांगे, आप के बांगे या मामलों के बांगे के गम्भीर में अवैध कृत्यों का पालन करें:—

अनुसूची			1	2	3
क्रम संख्या	निधारण अधिकारी की अधिकारिता				
1	2	3			
1. नये निधारिती सर्केल 10(1), कल.	(1) सभी नये मामले जिसके कारन-निधारण तक नहीं हुए और निधारण अधिकारी स.आ. सर्केल 10(1) से आ. अ. बाड़े 10(1) से 10(9) कल (पूर्व जिला II (2). और परियोजना सर्केल, कल.) की अधिकारिता के अन्तर्गत हैं। (2) आयकर अधिनियम 1961 की धारा 127 के अधीन समय-समय पर विशेष रूप से विनियिट सभी मामले। (3) सरकारी अधिकारणों और बाहरी अधिकारणों, जो भी हों, से प्राप्त या प्राप्त याचिका और सूचना से उद्भूत सभी नये मामले।				वार्ड-15(1) कल. मे 15 (14) कल. तक (पूर्व जिला-III (2) कल) की अधिकारिता के अधीन है। (2) आयकर अधिनियम की धारा 127 के अधीन समय-समय पर विशेष रूप से विनियिट सभी मामले। (3) सरकारी अधिकारणों और बाहरी अधिकारणों, जो भी हों, मे प्राप्त/प्राप्त याचिका और सूचना से उद्भूत सभी नये मामले।
2. नये निधारिती सर्केल 13(1), कल.	(1) सभी नये मामले जिसके कारन निधारण अब तक नहीं हुए और जो निधारण अधिकारी सं. आ. सर्केल 13(1) कल. आ. अ. बाड़े 13(1) कल. से 13(11), पूर्व (पूर्व जिला 1(1) और जिला 1(3) कल.) की अधिकारिता के अधीन हैं। (2) आयकर अधिनियम 1961 की धारा 127 के अधीन समय-समय पर विशेष रूप से विनियिट सभी मामले। (3) सरकारी अधिकारणों और बाहरी अधिकारणों, जो भी हों, से प्राप्त/प्राप्त याचिकों और सूचना से उद्भूत सभी नये मामले।				[सं. अधि/प.वं. - 8/92-93/751-550] एम.सी. ममेना, आ.आ.
3. नये निधारिती सर्केल 15(1), कल.	(1) सभी नये मामले जिनके कारन निधारण अब तक नहीं हुए और जो निधारण अधिकारी स.आ. सर्केल 15(1) कल. आ. अ.				

OFFICE OF THE COMMISSIONER OF INCOME-TAX,
WEST BENGAL-VIIICalcutta, the 15th June, 1992
NOTIFICATION No. 2/92-93

S.O. 2583.—In exercise of powers conferred on me under sub. sec. (1) & (2) of Section 120 of Income Tax Act, 1961 and in supersession of all earlier order in this matter, I, the Commissioner of Income-tax, West Bengal-VIII, Calcutta, hereby direct that Assessing Officers mentioned in the Column (2) of the Schedule appended below shall perform their functions in respect of the following classes of persons, classes of income or classes of cases as described in Column 3 of the Schedule below :—

SCHEDULE

Sl. No. Assessing Officer Jurisdiction of the Assessing Officer

1	2	3
1. New Assessee's Cir. 10(1), Cal.		<p>(i) All new cases not hitherto assessed to tax and falling under the jurisdiction of the A/Os A.C. Cir. 10(1), Cal. I.T.O., Ward-10(1) to 10(9), Cal. (erstwhile, Distt. II(2) and Project Circle Cal.)</p> <p>(ii) All cases specifically assigned U/s. 127 of the I.T. Act, 1961 from time to time.</p> <p>(iii) All new cases arising out of information and petition received/receivable from Govt. Agencies and outside agencies whatsoever.</p>
2. New Assessee's Cir. 13(1), Cal.		<p>(i) All new cases not hitherto assessed to tax and falling under the jurisdiction of the A/Os A.C. Cir. 13(1), Cal. I.T.O., Ward-13 (1), Cal. to 13(11), Cal. (erstwhile Dist. I(1) and Dist. I(3), Calcutta.)</p>

1	2	3
		<ul style="list-style-type: none"> (ii) All cases specifically assigned U/s. 127 of the I.T. Act, 1961 from time to time. (iii) All new cases arising out of information and petition received/receivable from Govt. Agencies and outside Agencies whatsoever.
3. New Assessee's Cir. 15(1), Cal.		<ul style="list-style-type: none"> (i) All new cases not hitherto assessed to tax and falling under the jurisdiction of the Assessing Officers A.C., Cir-15(1), Cal. ITO, Ward 15(1), Cal. to 15(14), Cal. (erstwhile Dist. III (2), Cal.) (ii) All cases specifically assigned U/s. 127 of the I.T. Act, 1961 from time to time. (iii) All new cases arising out of information and petition received/receivable from Govt. Agencies and outside Agencies whatsoever.
		[M. No. Jur/WB-VIII/92-93/751-850] S.C. SAXENA, C.I.T.

मुख्य आयकर प्रायुक्ति का कार्यालय, कलकत्ता

कलकत्ता, 27 जुलाई, 1992

संख्या 3/92-93

का.प्रा. 2584—आयकर अधिनियम 1961 की धारा 120 की उपधारा (1) व (2) के अन्तर्गत तथा इस सम्बन्ध में अन्य समस्त समर्थकारी प्रावधानों के अन्तर्गत हमें प्रदत्त शक्तियों का प्रयोग करते हुए हम मुख्य आयकर प्रायुक्ति कलकत्ता, मुख्य आयकर प्रायुक्ति-II, कलकत्ता एवं मुख्य आयकर प्रायुक्ति-III, कलकत्ता एवं द्वारा निवेश देते हैं कि सेहायक आयकर प्रायुक्ति (टी.डी.एस.) एवं आयकर अधिकारी (टी.डी.एस.) कलकत्ता, जो आयकर उपायकर रेंज-21, कलकत्ता के प्रशासनिक नियंत्रण में कार्यरत हैं और आयकर प्रायुक्ति, प.ब.-7, कलकत्ता के प्रभार के अन्तर्गत हैं, इस संबंध में जारी पूर्व अधिसूचनाओं द्वारा उन्हें प्रवत्त शक्तियों के अतिरिक्त, आयकर अधिनियम, 1961 के अध्याय-22 के अधीन भी अपने निर्धारण अधिकारियों के साथ-साथ शक्तियों का प्रयोग करेंगे जिनका संबंध उन व्यक्तियों अथवा व्यक्तियों के बगौं में हो जो आयकर अधिनियम, 1961 की धारा 206 के अधीन वार्षिक विवरणी उक्त सहायक आयकर प्रायुक्ति (टी.डी.एस.) और आयकर अधिकारी (टी.डी.एस.) के समक्ष प्रस्तुत करते हैं अथवा प्रस्तुत करने के लिए जिम्मेदार हैं, जहाँ तक कि उपर्युक्त अध्याय के प्रावधान से सबधित आयकर अधिनियम, 1961 के अध्याय-17 वी के प्रावधानों के अधीन स्वीकृत पर कठीती कर बैंड्रीग सरकार को जमा करने में असफल हो।

यह आदेश 1-8-1992 से लागू होगा।
 [संख्या स.प्रा./मुख्या. योजना/345/92-93/1448-2147]
 (भुवनेन्द्र निगम) (एम.पी. अग्रवाल)
 मुख्य आयकर प्रायुक्ति-III मुख्य आयकर प्रायुक्ति-II
 कलकत्ता कलकत्ता
 (एम.पी. अग्रवाल)
 मुख्य आयकर प्रायुक्ति,
 कलकत्ता

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX CALCUTTA

Calcutta, the 27th July, 1992

No. 3/92-93

S.O. 2584.—In exercise of the powers conferred on us under sub-sections (1) & (2) of Section 120 of the Income Tax Act, 1961, and under all other enabling provisions in this regard, we the Chief Commissioner of Income-tax, Calcutta the Chief Commissioner of Income Tax-II, Calcutta and the Chief Commissioner of Income Tax-III, Calcutta, hereby direct that the Assistant Commissioner of Income Tax (TDS) and the Income Tax Officers (TDS), Calcutta, who are functioning under the administrative control of the Deputy Commissioner of Income-tax, Range-21, Calcutta, and within the charge of the Commissioner of Income Tax, West Bengal VIII, Calcutta, shall, in addition to the powers already bestowed on them by virtue of previous notifications in this regard, exercise powers also under chapter-XXII of the Income Tax Act, 1961, in so far as the provisions of the said Chapter relate to failure to pay to the credit of the Central Government tax deducted at source under the provisions of Chapter-XVII-B of the Income Tax Act, 1961, concurrently with the respective Assessing Officers in respect of the persons or the classes of persons who file or are liable to file their annual returns in terms of Section 206 of the Income Tax Act, 1961, before the aforesaid Assistant Commissioner of Income-tax (TDS) and Income Tax Officer (TDS).

The order takes effect from 1st August, 1992.

[No.AC/HQ/Planning/345/92-93/1448-2147]

Sd/-

(Bhuvanendra Nigam)
Chief Commissioner
of Income Tax-III
Calcutta

Sd/-

(M. P. Agarwal)
Chief Commissioner
of Income Tax-II
Calcutta

Sd/-

(M. P. Agarwal)
Chief Commissioner
of Income Tax
Calcutta

कलकत्ता, 2 सितम्बर, 1992

सं. 5/92-93

का.प्रा. 2585.—प्रधिसूचना सं. 4/92-93 दिनांक 7-8-92 का आशिक संशोधन करते हुए, आयकर प्रायुक्ति (अपील) कलकत्ता का अधिकारी, 1-9-92 के बदले 15-9-92 से प्रभावी होगा।

[स. प्रा./मुख्या. योजना/30/92-93]

एम.पी. अग्रवाल एस.प्रा. नाधवा
मुख्य आयकर प्रायुक्ति-II व III मुख्य आयकर प्रायुक्ति
कलकत्ता कलकत्ता

OFFICE OF THE CHIEF COMMISSIONER OF INCOME TAX, CALCUTTA

Calcutta, the 2nd September, 1992
No. 5/92-93

S.O. 2585.—In partial modification of the Notification No. 4/92-93, dated 7-8-1992, regarding the jurisdiction of the Commissioners of Income-tax (Appeals), Calcutta, the date of effect would be 15-9-1992 instead of 1-9-1992.

[No. AC/HQ/Planning/30/92-93/2420-3119]

Sd/-

Sd/-
(M. P. Agarwal)
Chief Commissioner of
Income-tax II & III
Calcutta.

Sd/-
(S. R. Wadhwa)
Chief Commissioner of
Income-tax, Calcutta

कलकत्ता, 4 अगस्त, 1992

प्रधिसूचना स. 3/92-93

का.ग्रा. 2586.—प्रायकर प्रधिनियम, 1961 (1961 का 43) को धारा 120 की उपधारा (1) और (2) द्वारा द्वाया इस बावत मुख्य प्रश्न अथवा सामर्थकारी शक्तियों का प्रयोग करते हुए मैं प्रायकर प्रायुक्त पश्चिम बंगान-8 कलकत्ता एतद्वारा निवेश देता हूं कि समस्त पूर्व श्राद्धों का प्रधिक्रमण करते हुए प्रायकर प्रधिकारी वार्ड 10(8), कलकत्ता उन सभी चीजों निर्धारितियों पर अपनी प्रधिकारिता का प्रयोग करेंगे जो अब तक प्रायकर प्रधिकारी वार्ड 10(1) कलकत्ता द्वारा निर्धारित किये जाते थे।

यह श्राद्ध दिनांक 19-8-92 से प्रभावी होगा।

[फै.सं. ज्ञेन्ट्रा/प.ब.-8/92-93/1626]
प.स.सो. सक्षेत्रा, प्रायकर प्रायुक्त

Calcutta, the 4th August, 1992

NOTIFICATION NO. 3/92-93

S.O.2586.—In exercise of the powers conferred on me under Sec. (1) & (2) of Section 120 of Income Tax Act, 1961 (43 of 1961), and all other powers enabling me in this behalf, I, the Commissioner of Income-tax, West Bengal-VIII, Calcutta, hereby direct that in supersession of all earlier orders to this effect, the Income Tax Officer, Ward 10(8), Calcutta shall exercise jurisdiction over all the Chinese assesses who, have, hitherto been assessed by Income Tax Officer, Ward-10(1), Calcutta.

This Order takes effect from 19th August, 1992.

[F. No. Jur/WB-VIII/92-93/1626]
S. C. SAXENA, C.I.T.

कलकत्ता, 7 अगस्त, 1992

सं. 4/92-93

का.ग्रा. 2587.—मुख्य प्रायकर प्रायुक्त, कलकत्ता द्वारा पारित दिनांक 1-11-90 के पूर्व श्राद्ध संख्या 2/90-91 मुख्य प्रायकर प्रायुक्त-3 कलकत्ता द्वारा पारित दिनांक 5-11-90 के

पूर्व श्राद्ध संख्या 4/90-91 और मुख्य प्रायकर प्रायुक्त-2 कलकत्ता द्वारा पारित दिनांक 16-11-90 के पूर्व श्राद्ध 8/90-91 का श्रांशिक संशोधन बाबते हुए एवं प्रायकर प्रधिनियम, 1961 (1961 का 43) को धारा 120 की उपधारा (1) व (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और केन्द्रीय प्रत्यक्ष कर बोर्ड, नई विलों की प्रधिसूचना संख्या 8748 का.सं. 279/121/89-प्राई.टी.जे.एस.डी. सं. 727 (ई) दिनांक 11-10-90 के अन्तर्गत प्रदत्त शक्तियों तथा इस दिना में हमें सलग बनाने वाली अन्य समस्त शक्तियों का प्रयोग करते हुए और इस दिना में जारी की गई समस्त पूर्व प्रधिसूचनाओं का प्रधिक्रमण करते हुए इस प्रधिक्रमण के पूर्व तेज मासने जो निपटाये गये हैं या निपटाने में छूटे हुए हैं, को छोड़ कर हम, मुख्य प्रायकर प्रायुक्त, कलकत्ता, मुख्य प्रायकर प्रायुक्त-II कलकत्ता और मुख्य प्रायकर प्रायुक्त-II कलकत्ता एतद्वारा निवेश देते हैं कि इसके साथ सलग अनुसूची के स्तम्भ 2 में विनिर्दिष्ट प्रायकर प्रायुक्त (अपील) ऐसे अविक्षियों के संबंध में अपने कल्पों का पानन करेंगे जिनके प्रायकर या धनकर अथवा दानकर प्रधवा अतिकर अपवा व्याजकर अथवा व्यापकर अथवा संपदा शुल्क का निर्धारण स्तम्भ-3 में विनिर्दिष्ट प्रायकर प्रधिकारियों/निर्धारण प्रधिकारियों के द्वारा और जो प्रायकर प्रधिनियम, 1961 को धारा 246 को उपधारा (2) के खण्ड (क) से (ज) में, धनकर अधिनियम, 1957 (1957 का 27) की धारा 23 को उपधारा (क) के खण्ड (क) में (ग) में, दानकर अधिनियम, 1958 (1958 का 18) की धारा 22 को उपधारा (1क) के खण्ड (क) में (ग) में अपनी (लाभ) अतिकर अधिनियम, 1984 (1984 का 7) को धारा 11 को उपधारा (1) में, जायकर अधिनियम, 1974 (1974 का 45) को धारा 15 को उपधारा (1) में और अन्य कर अधिनियम, 1987 (1987 का 35) को धारा 22 को उपधारा (1) में और संपदा शुल्क अधिनियम, 1953 को धारा 62 में उल्लिखित किसी श्राद्धों से अमन्तुष्ट हों।

2. जहाँ एक प्रायकर सर्कत, वार्ड अथवा विशेष रैज या उसका अंश इस प्रधिसूचना के अनुसार एक प्रभार से दूसरे प्रभार में स्थानान्तरित हो गये हैं, प्रायकर प्रायुक्त (अपील) जिनके प्रभार में वह प्रायकर वार्ड/सर्कत/विशेष रैज अथवा उसका अंश स्थानान्तरित किये गये हों के समक्ष उन प्रायकर वार्ड/सर्कत/विशेष रैज या उसके अंश में हुए निर्धारण में उद्भूत तथा इस प्रधिसूचना के नाम होने के तत्काल पूर्व लम्बित अपील इस प्रधिसूचना के नाम होने की तिथि से, स्थानान्तरित किये जायेंगे और इनका निपटान उन प्रायकर प्रायुक्त अपील के द्वारा किये जायेंगे जिनको उन वार्ड/सर्कत/विशेष रैज अथवा उसका अंश स्थानान्तरित किये गये हों।

3. यह प्रधिसूचना दिनांक 1-9-92 से लागू होगी।

अनुसूची

आयकर आयुक्त (शपील) का ज्ञावाधिकार

क्र. आयकर आयुक्त (शपील) ज्ञावाधिकार
मं. का पदनाम

1 2 3

- आयकर आयुक्त (अ) (अ) आयकर उपायुक्त विशेष
1. कलकत्ता रेन्ज-7, कलकत्ता
(आ) आयकर उपायुक्त रेन्ज-7, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(इ) आयकर उपायुक्त, विशेष रेन्ज 1, कलकत्ता।
(ई) आयकर उपायुक्त, रेन्ज 20, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(उ) आयकर उपायुक्त, विशेष रेन्ज 12, कलकत्ता।
- आयकर आयुक्त (अ.)-2 (अ) आयकर उपायुक्त, रेन्ज-2, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
- आयकर आयुक्त (आ)-3 (अ) आयकर उपायुक्त, रेन्ज 6, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(आ) आयकर उपायुक्त, विशेष रेन्ज 11, कलकत्ता।
(इ) आयकर उपायुक्त, रेन्ज 21, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(ई) आयकर उपायुक्त रेन्ज-13, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(उ) आयकर उपायुक्त रेन्ज-15, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(ऋ) आयकर निवेशक (आयकर छूट) कलकत्ता में प्रशासनिक नियंत्रणाधीन एवं अधीनस्थ सभी निर्धारण अधिकारी।
- आयकर आयुक्त (अ)-4, कलकत्ता (अ) आयकर उपायुक्त रेन्ज-12, कलकत्ता के अधीन

1 2 3

कार्यरत सभी निर्धारण अधिकारी।

- आयकर आयुक्त (प्र.)-5, कलकत्ता (अ) आयकर उपायुक्त, रेन्ज-8, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(आ) आयकर उपायुक्त, रेन्ज-16, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(इ) आयकर उपायुक्त, विशेष रेन्ज-9, कलकत्ता।
- आयकर आयुक्त, (प्र.)-6, कलकत्ता (अ) आयकर उपायुक्त, विशेष रेन्ज-2, कलकत्ता।
(आ) आयकर उपायुक्त रेन्ज-II कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(इ) आयकर उपायुक्त, रेन्ज-10, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(ई) आयकर उपायुक्त, जलपायगुड़ी रेन्ज, जलपायगुड़ी के अधीन कार्यरत सभी निर्धारण अधिकारी।
(उ) आयकर उपायुक्त, विशेष रेन्ज-8, कलकत्ता।
- आयकर आयुक्त (अ)-7, कलकत्ता (अ) आयकर उपायुक्त, रेन्ज-1, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(आ) आयकर उपायुक्त, विशेष रेन्ज-10, कलकत्ता।
- आयकर आयुक्त (अ)-8, कलकत्ता (अ) आयकर उपायुक्त, रेन्ज-5, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(आ) आयकर उपायुक्त, विशेष रेन्ज-18, कलकत्ता।
- आयकर आयुक्त (अ)-9, कलकत्ता (अ) आयकर उपायुक्त, रेन्ज-4, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी।
(आ) आयकर उपायुक्त, विशेष रेन्ज 5, कलकत्ता।

1	2	3
		(ई) आयकर उपायुक्त, रेन्ज-6, कलकत्ता ।
		[सं. म.आ./मुख्य/योजना/30/92-93]
	भुवनेन्द्र निगम मुख्य आयकर उपायुक्त-III कलकत्ता	एम.पी. श्रवाल मुख्य आयकर उपायुक्त-II कलकत्ता
10. आयकर उपायुक्त (ग्र)-10, कलकत्ता	(ग्र) आयकर उपायुक्त, रेन्ज-14, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी । (ग्रा) आयकर उपायुक्त, रेन्ज-17, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी । (ग्री) आयकर उपायुक्त, रेन्ज-3, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-13, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-16, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-19, कलकत्ता । (ग्र) आयकर उपायुक्त, रेन्ज-3, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी । (ग्रा) आयकर उपायुक्त, विशेष रेन्ज-4, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-14, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-15, कलकत्ता । (ग्र) आयकर उपायुक्त, विशेष रेन्ज-17, कलकत्ता । (ग्र) आयकर उपायुक्त, रेन्ज-9, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी । (ग्रा) आयकर उपायुक्त, रेन्ज-19, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी ।	भुवनेन्द्र निगम मुख्य आयकर उपायुक्त-III कलकत्ता
11. आयकर उपायुक्त, (ग्र)-11, कलकत्ता	(ग्र) आयकर उपायुक्त, रेन्ज-3, कलकत्ता । (ग्रा) आयकर उपायुक्त, विशेष रेन्ज-4, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-14, कलकत्ता । (ग्री) आयकर उपायुक्त, विशेष रेन्ज-15, कलकत्ता । (ग्र) आयकर उपायुक्त, विशेष रेन्ज-17, कलकत्ता । (ग्र) आयकर उपायुक्त, रेन्ज-9, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी । (ग्रा) आयकर उपायुक्त, रेन्ज-19, कलकत्ता के अधीन कार्यरत सभी निर्धारण अधिकारी ।	एम.पी. श्रवाल, मुख्य आयकर उपायुक्त, कलकत्ता
12. आयकर उपायुक्त (ग्र)-12, कलकत्ता	Calcutta, the 7th August, 1992 No. 4 92-93	
	S.O. 2587.—In partial modification of earlier orders No. 2 90-91 dated 1-11-90 passed by the Chief Commissioner of Income tax, Calcutta, 4 90-91 dated 5-11-90 passed by the Chief Commissioner of Income-tax-III, Calcutta and 8 90-91 dated 16-11-90 passed by the Chief Commissioner of Income-Tax-II, Calcutta, and in exercise of the powers conferred by sub-sections (1) & (2) of Section 120 of the Income Tax Act, 1961 (43 of 1961) and in exercise of powers conferred on us by the Central Board of Direct Taxes, New Delhi, vide its Notification No. 8748 in F. No. 279/121/89-ITJ S.O. No. 777(E) dated 11-10-90 and all other powers enabling us in this behalf and in supersession of all earlier Notifications made in this behalf, except in respect of things done or omitted to be done before such supersession, We, the Chief Commissioner of Income Tax, Calcutta, Chief Commissioner of Income-tax-II, Calcutta and Chief Commissioner of Income Tax-III, Calcutta, hereby direct that the Commissioners of Income Tax (Appeals) specified in column 2 of the schedule attached hereto, shall perform their functions in respect of such persons assessed to Income-tax or Wealth Tax or Gift Tax or Sur-tax or Interest Tax or Expenditure Tax or Estate Duty by the Income Tax Authorities Assessing Officers specified in column 3 thereof as are aggrieved by any orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income Tax Act, 1961, clauses (a) to (o) of sub-section (1A) of Section 23 of the Wealth Tax Act, 1957 (27 of 1957), clauses (a) to (e) of sub-section (1A) of Section 22 of the Gift Tax Act, 1958 (18 of 1958), sub-section (1) of Section II of the Companies (Profit) Sur-tax Act, 1984 (7 of 1984), sub-section (1) of Section 15 of the Interest Tax Act, 1974 (45 of 1974) and sub-section (1) of Section 22 of the Expenditure Tax Act, 1987 (35 of 1987) and Section 62 of the Estate Duty Act, 1953.	
	2. Where an Income Tax Circle, Ward or Special Range or part thereof stands transferred by this Notification from one charge to another appeals arising out of the assessments made in this Income-tax Ward/Circle/Special Range or part thereof and pending immediately before the date from which this Notification takes effect, before the Commissioner of Income-tax (Appeal) from whose charge that Income Tax Ward /Circle/Special Range or part thereof is transferred shall, from the date from which this Notification takes effect, be transferred to and dealt with by the Commissioner of Income Tax (Appeals) to whom the said Ward/Circle/Special Range or part thereof is transferred.	
	3. This Notification takes effect from 1-9-1992.	

SCHEDULE

Jurisdiction of the Commissioner of
Income Tax (Appeals)

1	2	3
Sl. No.	Designation of Commissioner of Income Tax (Appeals)	Jurisdiction
1	2	3
1.	Commissioner of Income Tax (Appeals)-I, Calcutta.	(a) Deputy Commissioner of Income Tax, Special Range-7, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income Tax Range-7, Calcutta. (c) Deputy Commissioner of Income Tax, Special Range-1, Calcutta. (d) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-20, Calcutta. (e) Deputy Commissioner of Income Tax, Special Range-12, Calcutta.
2.	Commissioner of Income Tax (Appeals)-II, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-2, Calcutta.
3.	Commissioner of Income Tax (Appeals)-III, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-6, Calcutta. (b) Deputy Commissioner of Income Tax, Special Range-11, Calcutta. (c) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-21, Calcutta. (d) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-13, Calcutta. (e) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-15, Calcutta. (f) All Assessing Officers under the administrative control and subordinate to the Director of Income Tax (Income Tax Exemption), Calcutta.
4.	Commissioner of Income Tax (Appeals)-IV, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-12, Calcutta.
5.	Commissioner of Income-tax, (Appeals)-V, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-8, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-16, Calcutta. (c) Deputy Commissioner of Income Special Range-9, Calcutta.
6.	Commissioner of Income tax (Appeals)-VI, Calcutta.	(a) Deputy Commissioner of Income Tax, Special Range-2, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income-Tax, Range-11, Calcutta
7.	Commissioner of Income-tax (Appeals)-VII, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Range-10, Calcutta. (d) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Jalpaiguri Range, Jalpaiguri. (e) Deputy Commissioner of Income Tax, Special Range-8, Calcutta.
8.	Commissioner of Income tax (Appeals)-VIII, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-5, Calcutta. (b) Deputy Commissioner of Income-tax, Special Range-18, Calcutta.
9.	Commissioner of Income-tax (Appeals)-IX, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-4, Calcutta. (b) Deputy Commissioner of Income-tax, Special Range-5, Calcutta. (c) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-18, Calcutta. (d) All Assessing Officers functioning under Deputy Commissioner of Income Tax, Asansol Range, Asansol. (e) Deputy Commissioner of Income Tax, Special Range-20, Calcutta.
10.	Commissioner of Income-Tax (Appeals)-X, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax Range-14, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-17, Calcutta. (c) Deputy Commissioner of Income-tax, Special Range-3, Calcutta. (d) Deputy Commissioner of Income-tax, Special Range-13, Calcutta. (e) Deputy Commissioner of Income-tax, Special Range-16, Calcutta. (f) Deputy Commissioner of Income-tax, Special Range-19, Calcutta.
11.	Commissioner of Income-tax (Appeals)-XI, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax Range-3, Calcutta. (b) Deputy Commissioner of Income-tax, Special Range-4, Calcutta. (c) Deputy Commissioner of Income-tax, Special Range-14, Calcutta. (d) Deputy Commissioner of Income-tax, Special Range-15, Calcutta. (e) Deputy Commissioner of Income-tax, Special Range-17, Calcutta.
12.	Commissioner of Income-tax, (Appeals)-XII, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax Range-9, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-19, Calcutta.

(c) Deputy Commissioner Income-tax, Special Range-6, Calcutta.
[No. AC/HQ/Planning/30/9293]

BHUVANENDRA NIGAM M.P. AGARWAL
Chief Commissioner of Income-tax-III, Calcutta. Chief Commissioner of Income-Tax-II, Calcutta.
M.P. Agarwal,
Chief Commissioner of Income-tax, Calcutta.

विवेद भंगालय

नई दिल्ली, 29 अगस्त, 1992

का.प्रा. 2588 :—राजनीतिक कोंसली भ्रष्टिकारी (ग्राम एवं शहर) भ्रष्टिनियम, 1948 (1948 का 41वा) की घारा 2 के अक (क) के अनुसरण में केंद्रीय सरकार एवं द्वारा भारत का उच्चायोग, सिंगापुर में सहायक श्री भार. जवाहरो को 1 जुलाई, 92 से कोंसली एजेंट का कार्य करने के लिए प्राप्तिकृत करते हैं।

[टी.-4330/1/92]

यो.प्र. सिंह, अवर सचिव, (पी.वी.एस.)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 29th August, 1992

S.O. 2588.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri R. Jawahari, Assistant, in the High Commission of India, Singapore to perform the duties of Consular Agent with effect from 1-7-92.

[No. T-4330/1/92]

Y. P. SINGH, Under Secy. (P.V.S.)

नई दिल्ली, 29 अगस्त, 1992

का.प्रा. 2589 :—राजनीतिक कोंसली भ्रष्टिकारी (ग्राम एवं शहर) भ्रष्टिनियम 1948 (1948 का 41वा) की घारा 2 के अक (क) के अनुसरण में केंद्रीय सरकार एवं द्वारा भारत का दूतावास, रियास्त में सहायक श्री पी के सरकार को 1 जुलाई 1992 कोंसली एजेंट का कार्य करने के लिए प्राप्तिकृत करते हैं।

[यो.प्र. सिंह, अवर सचिव (पी.वी.एस.)

[टी-4330/1/92]

New Delhi, 29th August, 1992

S.O. 2589.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri P. K. Sarkar, Assistant, in the Embassy of India, Riyadh, to perform the duties of Consular Agent with effect from 1-7-92.

[No. T-4330/1/92]

Y. P. SINGH, Under Secy. (P.V.S.)

नई दिल्ली, 29 अगस्त, 1992

का.प्रा. 2590 :—राजनीतिक कोंसली भ्रष्टिकारी (ग्राम एवं शहर) भ्रष्टिनियम 1948 (1948 का 41वा) की घारा 2 के अक (क) के अनुसरण में केंद्रीय सरकार एवं द्वारा भारत का दूतावास, रियास्त में सहायक श्री भार. वर्मा को 9 जुलाई, 1992 से कोंसली एजेंट का कार्य करने के लिए प्राप्तिकृत करते हैं।

[टी-4330/1/(92)]

यो.प्र. सिंह, अवर सचिव (पी.वी.एस.)

New Delhi, the 29th August, 1992

S.O. 2590.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri B. R. Verma, Assistant in the Embassy of India Riyadh, to perform the duties of Consular Agent with effect from 9-7-92.

[No. T-4330/1/92]

Y. P. SINGH, Under Secy. (P.V.S.)

वाणिज्य मंत्रालय

(मुख्य नियंत्रक, आयात-नियात का कार्यालय)

वाणिज्य

नई दिल्ली, 16 सितम्बर, 1992

का.प्रा. 2591 :—श्री प्राण नाथ मेहता बी-63, निजामदीन ईस्ट, नई दिल्ली को विवेद में उनकी विवेशी मुद्रा की निजी बचत के तहत सेकेण्ड हैंड होरिंजल बोर्स डब्ल्यूडी-200 एक नग सेकेण्ड हैंड प्लांट मिलर्स, एच.जैड-3150×6000 एक नग और सेकेण्ड हैंड थूनिवर्सल गीयर होर्सलर-जैड एक डब्ल्यू.जैड-5000×40 एक नग के आयात के लिए 23,87,009 रुपये (तीस लाख सतासी हजार नौ रुपये मात्र) का एक सीमाशुल्क निकाली परमिट सं. पी/सी/जी/2128405 दिनांक 25-11-91 दिया गया था।

फर्म ने उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन दिया है कि यह उनमें कहीं भी गई अथवा गुम हो गई है। उम्हाने आगे यह भी बताया है कि लाइसेंस की सीमाशुल्क प्रयोजन प्रति किसी भी सीमाशुल्क प्राप्तिकारी के पास पंजीकृत नहीं कराई गई थी और इसलिये सीमाशुल्क प्रयोजन प्रति के मूल्य का बिक्रुल भी उपयोग नहीं हुआ है।

2. अपने तक के समर्थन में लाइसेंसदारी ने नोटरी पन्निक के समर्थ विधिवत शापथ लेकर रसीदी कागज पर एक शापथत वाखिल किया है। तपनुसार मैं सन्तुष्ट हूँ कि फर्म से सीसीपी सं. पी/सी/जी/2128405 दिनांक 25-11-91 की मूल सीमाशुल्क प्रयोजन प्रति कहीं भी गई अथवा गुम हो गई है। अतः यथासंशोधित आपत्ति (नियन्त्रण) प्रावेश, 1955 दिनांक 7-12-1955 की उप धारा 9(गग) के अनुसार प्रदत्त अधिकारों का प्रयोग करते हुए पर्याम नाम मेहता को जारी की गई उक्त मूल सीमाशुल्क प्रयोजन प्रति सं० पीसीजी/2128405 दिनांक 25-11-91 एवं द्वारा एक को जाती है।

3. उक्त लाइसेंस की सीमाशुल्क प्रयोजन प्रति की अनुलिपि पार्टी को प्रस्तुत से जारी की जा रही है।

[सं. सीजी/2/36—प्राई एन एस ए/91-92/120]
प्रतीता पठेजा, उप मुख्य नियंत्रक, आयात-नियात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 16th September, 1992

S.O. 2591.—Sh. Pran Nath Mehta B-36, Nizamuddin East New Delhi were a C.C.P. No. P/CG/2128405 dated 25-11-91 for Rs. 23,87,009 (Rupees Twenty three lakhs Eighty Seven Thousand & Nine only) for import of Second Hand horizontal borers WD-200-one No. Second Hand Pland Millers, HZ 3150×6000 one No. and second hand universal Gear hobber ZFWZ-5000×40 one No. Under his own foreign exchange saving abroad.

The firm has applied for issue of Duplicate copy of Customs purposes copy of the above mentioned licence on the ground that the original Customs purposes copy of the licence has been lost or misplaced. It has further been stated

that the Customs purposes copy of the licence was not registered with any Customs Authority and as such the value of Customs Purpose copy has not been utilised at all.

In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public. I am accordingly satisfied that the original Customs purposes copy of C.C.P. No. P|CG|2128405 dated 25-11-91 has been lost or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, 1955 dated 7-12-1955 as

amended the said original Customs Purposes copy No. P|CG|2128405 dated 25-11-91 issued to Pran Nath Mehta, is hereby cancelled.

A duplicate Customs Purposes copy of the said licence is being issued to the party separately.

[F. No. CG. II/36-INS/91-92/120]

ANITA PATHAJA, Dy. Chief Controller of Imports and Exports.

मार्गरिक पूति, उपभोक्ता मामले और सार्वजनिक वितरण मंड़ालय

भारतीय मानक व्यूरो

नई शिल्पी, 21 सितम्बर, 1992

अधिसूचना

का.प्रा. 2592—भारतीय मानक व्यूरो नियम, 1987 के नियम 7 के उपनियम (1) की बांड (ब) के अनुसरण में भारतीय मानक व्यूरो एतद्वारा प्राप्तिसूचित करता है कि जिस/जिन भारतीय मानक/मानकों, का/के विवरण नीचे प्रनक्षुची में दिया गया है/दिए गए हैं, वह/वे स्थापित हो गया है/ही गए हैं।

प्रनक्षुची

क्रम	स्थापित भारतीय मानक (को) की संख्या, वर्ष और शीर्षक सं.	मात्र भारतीय मानक द्वारा प्रतिक्रिया मार्ग व्यूरो मानकों, यदि कोई हैं, की सं. और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	प्राई एस : 302-2-201 (1992) रेल और ऐसे ही विद्युत साधिकों से सुरक्षा — भाग 2—विशिष्ट अपेक्षाएं बांड 201 पानी गर्म करने के निम्नज्य स्टीटर		1992-03-31
2.	प्राई एस : 534-1992 बैंजीन—विशिष्ट (तीसरा पुनरीक्षण)	प्राई एस : 534-1974	1992-03-31
3.	प्राई एस : 654-1992 छत पर बिलाने वाली मिट्टी की टाइल, मंगलोर पैटर्न— प्राई एस : 654-1972 विशिष्ट (तीसरा पुनरीक्षण)		1992-03-31
4.	प्राई एस : 809-1992 सामान्य प्रयोजनों के लिए फर्म पर बिलाने वाली रबड़ प्राई एस : 809-1970 सामर्थी विशिष्ट (तीसरा पुनरीक्षण)		1992-03-31
5.	प्राई एस : 1077-1992 भवन निर्माण हेतु सामान्य पकड़ी मिट्टी की ईंट-विशिष्ट प्राई एस : 1077-1986 (पांचवा पुनरीक्षण)		1992-01-31
6.	प्राई एस : 1200 (पार्ट 28) : 1992 भवन निर्माण एवं सिविल इंजीनियरिंग कार्यों की विधि भाग 28-स्वनि रोक्षन कार्य		1992-03-31
7.	प्राई एस : 1576-1992 विद्युत प्रयोजनों हेतु टोम प्रेस बोर्ड-विशिष्ट	—	1992-01-31
8.	प्राई एस : 2047-1992 एल्यूमीनियम मिश्र धातु की कठोरता सामर्थी (मास्टर प्राई एस : 2047-1979 मिश्र धातु) —विशिष्ट (दूसरा पुनरीक्षण)		1992-03-31
9.	प्राई एस : 3347 (पार्ट 8/सेक्टर 2)-1992 हल्के प्रत्युषित धातवरण में प्रयोग हेतु पोर्सलीन ट्रांसफार्मर बूलिंग के आधार भाग 8. 52 कि बोलिंग बांड 2 धातु भाग		1992-03-31
10.	प्राई एस : 3646 (पार्ट 1)-1992 भारतीय प्रतिरोधी हेतु रीति संहिता भाग 1 प्राई एस : 3646 (पार्ट 1)-1966 कार्यालयी हन्टरियर्स हेतु सामान्य अपेक्षाएं और सिफारियां (पहला पुनरीक्षण)		1992-03-31
11.	प्राई एस : 4426-1992 प्रयोगशाला हेतु कांच के बर्तन के बर्तन सेने की विधियां प्राई एस : 4426-1987 (पहला पुनरीक्षण)		1992-03-31
12.	प्राई एस : 4896-1992 अपवर्तन प्रतिरोधी एक प्रतिशत कीमियम इस्पात हनाहयां प्राई एस : 4896-1976 विशिष्ट (दूसरा पुनरीक्षण)		1992-03-31
13.	प्राई एस : 5969-1992 धातु हेतु लेपी पालिश—विशिष्ट (पहला पुनरीक्षण)	प्राई एस : 5969-1970	1992-03-31

(1)	(2)	(3)	(4)
14. आई एस : 5986-1992 फर्जिग और कार्मिक प्रवालन हेतु तत्स बेलिन इस्पात	आई एस : 5986-1970 स्लेट, चट्टार, पहली और फ्लेट-विशिष्ट (पहला पुनरीक्षण)	आई एस : 3747-1982 और आई एस : 5272-1969	1992-03-31
15. आई एस : 6068-1992 बस्त्रादि हेतु मणीनरी-कलाई मणीनरी (डर्वलिंग के लिए	आई एस : 6068-1970 प्रिपरेट्री)-सामकर (पहला पुनरीक्षण)	—	1992-03-31
16. आई एस : 6390 (पार्ट 2)-1992 घरेलू कपड़ों हेतु विजनी की घुलाई मणीन- विशिष्ट	—	—	1992-03-31
भाग 2 टम्बलर ड्रायर्स की प्रयोक्षण			
17. आई एस : 6578-1992 प्रसूति यंत्र-चिमटी, अंडाशय-प्राकार और भ्रायाम (पहला पुनरीक्षण)	आई एस : 6578-1972	—	1992-03-31
18. आई एस : 6654-1992 कोच के धारक—पारिभाषिक शस्त्रावली (त्रूपरा पुनरीक्षण)	आई एस : 6654-1982	—	1992-03-31
19. आई एस : 7074 (पार्ट 1)-1992 मालवाहक वायुयानों हेतु पेलेट भाग 1, मामान्य प्रयोक्षण	आई एस : 7074 (पार्ट 1)-1973	—	1992-03-31
20. आई एस : 7129-1992 पोटेशियम कार्बोनेट निर्जल-विशिष्ट	आई एस : 7129-1973 (पहला पुनरीक्षण)	—	1992-03-31
21. आई एस : 7548-1992 बंडार टेंटों के लिए धेरा-विशिष्ट	आई एस : 7548-1975 (पहला पुनरीक्षण)	—	1992-03-31
22. आई एस : 9299 (पार्ट 3/सेक्स-5)-1992 बिल्ट अप भ्रष्टक या उपचारित भ्रष्टक कागज भ्राधारित रोधम सामग्री भाग 3-एकल सामग्री की विशिष्टि बंड 5—चट्टर के रूप में नम्य भ्रष्टक सामग्री	—	—	1992-04-30
23. आई एस : 10386 (पार्ट 5)-1992 सुरक्षा महिला-नरी धारी परियोजना के निर्माण प्रकालन और रखारखाव हेतु भाग 5 विद्युत पत्र	—	—	1992-03-31
24. आई एस : 10987-1992 पेट्रोलियम उत्पादों हेतु भूमिगत/भू परि क्षेत्रिक बेल- नाकार इस्पात के बंडारण टैक के डिजाइन, विसरचना, परीक्षण और संस्थापन की शीति सहित (पहला पुनरीक्षण)	आई एस : 10987-1984	—	1992-03-31
25. आई एस : 11601 (पार्ट 2)-1992 संश्लिष्ट डिटरजेंट सिरापदता का मूल्यांकन विधिया भाग 2 संश्लिष्ट डिटरजेंट के तथास संवेदीकरण सक्ति की परीक्षण विधि (गतिया पिंग भ्रष्टकीकरण परीक्षण)	—	—	1992-04-30
26. आई एस : 12448 (पार्ट 8)-1992 इलेक्ट्रोनिक उपस्करों हेतु विद्युत यांत्रिक घटकों हेतु सूलभूत परीक्षण प्रक्रियाएं और मापन विधियाँ भाग 8 कनेक्टर परीक्षण (यांत्रिक) और यांत्रिक परीक्षण कनेक्टरों और शीर्षों पर	—	—	1992-03-31
27. आई एस : 13202-1992 खान दूलाई ट्रक-विशिष्टि	—	—	1992-03-31
28. आई एस : 13259-1992 हवाई जहाज को बांधकर ले जाने वाले ट्रेक्टर-कार्य- कारिता प्रयोक्षण	—	—	1992-03-31
29. आई एस : 13268-1992 निर्लंबीकरण संयन्त्र-मार्गदर्शी सिद्धान्त	—	—	1992-03-31
30. आई एस : 13270-1992 और सेट और कीमोप्राफीय छारा गेसों का परीक्षण	—	—	1992-03-31
31. आई एस : 13287-1992 अत्यधिक गहराई से पानी निकालमें के हैंडपंप	—	—	1992-03-31
32. आई एस : 13293-1992 गेंस पहचान मिलिकाएं सामान्य प्रयोक्षण और परीक्षण विधियाँ	—	—	1992-03-31
33. आई एस : 13295-1992 खानों और भारी धातु उच्चोग के कार्मिकों हेतु चमड़े के सुरक्षा बूट और जूतों के उत्पालन की शीति सहित	—	—	1992-03-31
34. आई एस : 13300-1992 निकिल केंडमियम बैटरिया (ऐरोबेटिक और नान- ऐरोबेटिक)-विशिष्टि	—	—	1992-03-31

इन मानकों की प्रतियों भारतीय मानक ब्युरो, मापक भवन, 9 बहावुर शाह जफर मार्ग, नई दिल्ली-110002 और ऐत्रीय कार्यालयों: बम्बई, कलकत्ता, चंडीगढ़ और मद्रास और शास्त्र कार्यालयों: भ्रह्मदत्ताबाबाद, बंगलौर, भोपाल, भुवनेश्वर, गोहाटी, हैदराबाद, जयपुर, पटना और त्रिवेंक्रम में विक्री के देतु उपलब्ध हैं।

MINISTRY OF CIVIL SUPPLIES CONSUMER AFFAIRS & PUBLIC DISTRIBUTION
BUREAU OF INDIAN STANDARDS

New Delhi, the 1st September, 1992

S.O. 2592.—In pursuance of clause(b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, The Bureau of Indian standards hereby notifies that the Indian Standard(s), Particulars of which is/are given in the Schedule hereto annexed, has/have been established on the date indicated against each:

THE SCHEDULE

Sl. No.	Year and Title of the Indian Standard(s) Established	No. and year of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Date of Establishment
(1)	(2)	(3)	(4)
1.	IS : 302-2-201 (1992) Safety of household and similar electrical appliances Part 2 Particular Requirements Section 201 Electric immersion Water Heaters	—	1992-03-31
2.	IS : 534-1992 Benzene—Specification (Third Revision)	IS : 534-1974	1992-03-31
3.	IS : 654-1972 Clay roofing tiles, magulore pattern—Specification (Third Revision)	IS : 654-1972	1992-03-31
4.	IS : 809-1992 Rubber flooring materials for general purposes—Specification (First Revision)	IS : 809-1970	1992-03-31
5.	IS : 1077-1992 Common burnt clay building bricks—Specification (Fifth Revision)	IS : 1077-1986	1992-01-31
6.	IS : 1200 (Part 28) 1992 Method of building and civil engineering works Part 28 Sound insulation work.	—	1992-03-31
7.	IS : 1576-1992 Solid pressboard, for electrical purposes—Specification	—	1992-01-31
8.	IS : 2047-1992 Aluminium alloy hardeners (Master alloys)—Specification (Second Revision)	IS : 2047-1979	1992-03-31
9.	IS : 3347 (Part 8/Sec. 2)-1992 Dimensions for porcelain Transformer bushings for use in lightly polluted atmospheres Part 8 52 kV Bushings Section 2 Metal Parts	—	1992-03-31
10.	IS : 3646 (Part 1)—1992 Code of practice for interior illumination Part 1 General requirements and recommendations for working interiors (First Revision)	IS : 3646(Part 1)-1966	1992-03-31

1	2	3	4
11.	IS : 4426-1992 Methods of sampling laboratory glassware (First Revision)	IS : 4426-1967	1992-03-31
12.	IS : 4896-1992 One-percent chromium steel castings for resistance to abrasion—Specification (Second Revision).	IS : 4896-1976	1992-03-31
13.	IS : 5969-1992 Metal polish, paste—specification (First Revision)	IS : 5969-1970	1992-03-31
14.	IS : 5986-1992 Hot rolled steel plates, sheets, strips and flat for flanging and forming operation—Specification (First Revision)	IS : 5986-1970 IS 3747-1982 and IS : 5272-1969	1992-03-31
15.	IS : 6068-1992 Textile machinery-spinning machinery (Preparatory to doubling)—Nomenclature (First Revision)	IS : 6068-1970	1992-03-31
16.	IS : 6390 (Part 2)-1992 Domestic electrical clothes washing machines—Specification Part 2 Requirements for tumbler Dryers	—	1992-03-31
17.	IS : 6578-1992 Obstetrics instruments-forceps, Ovum-Shape and Dimensions (First Revision)	IS : 6578-1972	1992-03-31
18.	IS : 6654-1912 Glass containers-Glossary of terms (Second Revision).	IS : 6654-1982	1992-03-31
19.	IS : 7074 (Part 1)-1992 Air cargo pallets Part 1 General requirements (First Revision)	IS 7074(Part 1)-1973	1992-03-31
20.	IS : 7129-1992 Potassium carbonate, anhydrous—Specification (First Revision)	IS : 7129-1973	1992-03-31
21.	IS : 7548-1992 Vase for store tent-Specification (First Revision)	IS : 7548-1975	1992-03-31
22.	IS : 9299 (Part 3/Sec. 5)-1992 Insulating materials based on built up mica or treated mica paper Part 3 Specifications for individual materials Section 5 Flexible Mica Materials in Sheet Form	—	1992-04-30
23.	IS : 10386 (Part 5)—1992 Safety code—for construction, operation and maintenance of river valley projects Part 5 Electrical Aspects	—	1992-03-31
24.	IS : 10987-1992 Code of practice for design, fabrication, testing an installation of under-ground/above-ground horizontal cylindrical steel storage tanks for petroleum products (First Revision)	IS : 10987-1984	1992-03-31

1	2	3	4
25.	IS : 11601 (Part 2)-1992 Synthetic detergents—safety evaluation—Methods Part 2 Methods of test for skin sensitization potential of synthetic detergents (Guinea Pig Maximization Test)	—	1992 04 30
26.	IS : 12448 (Part 8)-1992 Basic testing procedures and measuring methods for electromechanical components for electronic equipment Parts 8 Connector tests (Mechanical) and Mechanical tests on contacts and terminations	—	1992 03 31
27.	IS : 13202-1992 Mine haulage tracks—General Requirements	—	1992 03 31
28.	IS : 13259-1992 Aircraft Tow tractors—performance requirements	—	1992 03 31
29.	IS : 13268-1992 Demineralization Plant — Guidelines	—	1992 03 31
30.	IS : 13270-1992 Test for gases by orsat and chromatographic Methods—Methods	—	1992 03 31
31.	IS : 13287-1992 Extra deepwell handpumps—Specification	—	1992 03 31
32.	IS : 13293-1992 Gas detector tubes—General requirements and methods of test	—	1992 03 31
33.	IS : 13295-1992 Code of practice for manufacture of safety leather boots and shoes for workers in the mines and heavy metal industries	—	1992 03 31
34.	IS : 13300-1992 Nickel cadmium aircraft batteries (Aerobic and Non-aerobic)—Specification	—	1992 03 31

Copies of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices: Bombay, Calcutta, Chandigarh and Madras and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Guwahati, Hyderabad, Jaipur, Patna and Trivandrum.

[No. CMD/13 : 2]

N. SRINIVASAN, Addl. Director General

भारत संसाधन विकास भवान

(यू.आ कार्यक्रम और खेत विभाग)

मई फिल्मी, 9 अप्रैल, 1992

का. भा. 2593 :—धूकि राष्ट्रीय विनाको लक्षण कोष, नई फिल्मी की साधारण समिति ने तत्कालीन भिक्षा और संस्कृति भवान (विकास विभाग) भारत सरकार की अधिसूचना सं. एम.ओ. 166 (ई) विनाक 22 मार्च, 1982 की शर्तों में निर्धारित योजना में संशोधन करने के लिए धर्मार्थ निधि अधिनियम 1890 (1890 का 6) के अंतर्गत आवेदन दिया है।

अतः यब तक अधिनियम के लांड 5 के उपलब्ध (3) द्वारा प्रदत्त अधिकारों का प्रयोग करने हुए केन्द्रीय सरकार उपरोक्त साधारण समिति की सहमति से एतद् द्वारा समय-नमय पर संशोधित राष्ट्रीय विकास कल्याण कोष के नियमों में और धारा ५ निम्न संशोधन करती है :—

कथित योजना में—

- (1) नियम 4(IV) निकाल दिया गया है।
- (2) नियम 4(XI) को निम्न प्रकार संशोधित किया गया है :—
“कार्यकारी निवेशक (प्रकारमा), भारतीय खेत प्राविकरण”
- (3) नियम 4 के उपनियमों को तदनुसार 4(IV) से 4(XI) तक पुनर्संज्ञादित किया है।
- (4) नियम 10 का उपनियम (IV) निकाल दिया है।
- (5) नियम 10 के उपनियम (V) और (VI) को क्रमशः (IV) और (V) नं. में संज्ञादित किया है।
- (6) नियम 10 के उपनियम (VI) को निम्न प्रकार जोड़ा गया है :—

“अधिकार के विवेकीय शक्तियाँ”
“प्रधान मुख्यमंत्री द्वारा दिए गए अधिकारों में प्रत्येक अधिकार में वर्णन और परिस्थितियों के अधार पर तकनीकी रूप से उनके अपावृणु होने की स्थिति में भी उनको सहायता स्वीकृत कर सकते हैं। प्रधान को सहायता की मांगा निर्धारित करने की शक्ति प्राप्त होती।

[मि.सं. 13-30/92-खेल-IV]
मोना रंगा, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(Department of Youth Affairs and Sports)
New Delhi, the 9th April, 1992.

S.O. 2593.—Whereas the General Committee for “National Welfare Fund for Sports person, New Delhi” has made an application under the Charitable Endowments Act 1890 (6 of 1890) for the modification of the Scheme settled in terms of the notification of the Government of India in the erstwhile Ministry of Education and Culture (Dept. of Education) No. S.O. 166(E), dated the 22nd March, 1982.

Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 5 of the said Act, the Central Government, with the concurrence of the aforesaid General Committee, hereby makes the following further amendments in the Rules of the National Welfare Fund for Sportspersons Scheme, as amended from time to time, namely :—

In the said Scheme :—

- (i) Rule 4(iv) is deleted.
- (ii) Rule 4(xi) is amended as follows :—
“Executive Director (Academics), Sports Authority of India”,
- (iii) Sub-Rule of Rule 4 are renumbered from 4(iv) to 4(xi) accordingly.
- (iv) Sub-Rule (iv) of Rule 10 is deleted.
- (v) Sub-Rules (v) and (vi) of Rule 10 are renumbered as (iv) & (v), respectively.
- (vi) Sub-Rule (vi) of Rule 10 is added as follows :—

“Discretionary Powers to the Chairperson” .

“The Chairperson may sanction the assistance in deserving cases, even if, technically they are not eligible depending upon the facts and circumstances of each case. The Chairperson will have the discretion to decide the quantum of assistance.

[F. No. 13-30/92-SP.IV]
NEENA RANJAN, Jt. Secy.

(मन्त्रिलाल विकास विभाग)

पूर्ति विभास अधिनियम, 1890 (1890 का 6) के मामले में
राष्ट्रीय बाल कोष, नई दिल्ली के मामले में

नई दिल्ली, 22 मिन्हम्बर, 1992

का.आ. 2594 :—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबन्ध बाई द्वारा किए आवेदन पर और उनकी गहराई से पूर्ति विभास अधिनियम 1890 (1890 का 6) के खण्ड 4 द्वारा प्रवत अधिकारों का प्रयोग करते हुए केन्द्रीय सम्बाद पत्र द्वारा आदेश देती है कि नीचे दिए गए व्यापे के अनुमार र. 1,32,591 (एक लाख अर्द्धशत हजार पाँच सौ इकायनवे माल) की राशि निष्क्रिय बैंक, हीज खाता, नई दिल्ली में 3 महीनों के लिए किंवदं डिजिट योजना के अन्तर्गत 12% की व्याज दर से 25-8-92 को निवेदण की गई :
2413 G1/92-5

क्रम सं.	राशि	पिछले निवेदण भुगतान की को तारीख तारीख	प्रभुक्तियाँ
1.	1,32,591	25-05-92	बैंक अपि हैंडिया, जनपथ, नई दिल्ली में जमा 35 लाख छुट कीमत में निवेदित राशि ।
			2. भारत सरकार के तत्कालीन समाज कल्याण विभाग के द्वारा 2 मार्च 1979 के समय पर यथा संशोधित सं.आ. 120(ई) को अग्रिमत्रयी के साथ प्रकाशित राष्ट्रीय बाल कोष, नई दिल्ली के संचालन की योजना के अनुनार प्रयोग किए जाने हेतु उपरोक्त आम भारतीय पूर्ति विभास के खाताओं के नाम होता ।

[सं. 13-4/91 दो.प्रा. -II]
प्रा.पं. मोना, उप निदेशक

(Department of Women & Child Development)
IN THE MATTER OF THE CHARITABLE ENDOWMENTS ACT 1890 (6 of 1890)
IN THE MATTER OF THE NATIONAL CHILDREN'S FUND, NEW DELHI

New Delhi, the 22nd September, 1992

S.O. 2594.—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi as in exercise of the powers conferred by Section 4 of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 1,32,591/- [Rupees One lakh Thirtytwo Thousand Five hundred and Ninetyone only] as per particulars given below be invested in Fixed Deposit Scheme for three months in Syndicate Bank, Haus Khas, New Delhi at the rate of Interest of 12% per annum w.e.f. 25-08-92.

Sl. No.	Amount	Date of previous Investment	Date of Maturity	Remark
1.	1,32,591/-	25-05-92	25-08-92	Surplus amount of discounted value of Rs. 35,00,000/- deposit in Bank of India, Janpath, New Delhi.

2. The above account shall vest in the treasurer of charitable endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi, published with the Notification of the Government of India in the then Department of Social Welfare No. S.O. 120(E) dated the 2nd March, 1979 as amended from time to time.

[F. No. 13-4/92-TR-II]
R. L. MEENA, Deputy Director

पूर्ति विभास अधिनियम, 1890 (1890 का 6) के मामले में

राष्ट्रीय बाल कोष, नई दिल्ली के मामले में

नई दिल्ली, 22 निन्हम्बर, 1992

का.आ. 2595 :—राष्ट्रीय बाल कोष, नई दिल्ली के प्रबन्ध बोर्ड द्वारा किए आवेदन पर और उनकी गहराई से पूर्ति विभास अधिनियम 1890 (1890 का 6) के खण्ड 10 (2) द्वारा प्रवत अधिकारों का प्रयोग करते हुए केन्द्रीय सम्बाद पत्र द्वारा आदेश देती है कि नीचे दिए गए व्यापे के अनुमार र. 1,31,491/- (एक लाख इक्कीस हजार चाहती अठाउनवे माल) निष्क्रिय बैंक, हीज खाता, नई दिल्ली में दिनांक 25-8-92 से 86 दिनों के लिए फिक्स डिपाजिट योजना के अन्तर्गत 12% व्याज दर से तथा र. 33,67,409/- (तीनांस लाख सठसठ हजार चाहती नीं माल) की राशि (पैरोंस लाख की छुट कीमत को

राशि; इहिकन आवरसोन्न बैंक जनपथ, नई विल्लो में सांटकिकेट ऑफ विपाजिट योजना में 15.75% की व्याज दर से दिनांक 25-8-92 से 3 महाना के लिए पूँजी निवेश को गई:

क्रम	राशि	पिछले निवेश भुगतान का	भव्यता
नं.	का तारीख	तारीख	
1.	121,498/-	13-07-92	28-08-92
2.	35,00,000/-	25-05-92	25-08-92 वर्षी हुई राशि 3 महीनों के लिए विडिकेट बैंक, हीब खाते नई विल्लो में फिल्स विपाजिट योजना में जमा कराई जायेगी।

3. भारत सरकार के तत्कालीन समाज कल्याण विभाग के विनांक 2 मार्च 1979 के सन्दर्भ पर यथा संगोष्ठित सा.पा. 120(ई) वा. विषयसूची के साथ प्रकाशित राज्यालय बाल कोष, नई विल्लो के सचान का योजना के अनुसार प्रयोग किए जाने हेतु उपरोक्त खाता भारतालय पूर्व विष्यास के खजानों के नाम होगा।

[सं. 13-4/92 टो.पा.मा. II]
आर.एन. मीना, उप निदेशक

In the matter of the Charitable Endowments Act, 1890 (6 of 1890).

In the matter of the National Children's Fund, New Delhi.

New Delhi, the 22nd September, 1992

S.O. 2595.—On the application made by and with the concurrence of the Board of Management of the National Children's Fund, New Delhi, as in exercise of the powers conferred by Section 10(2) of the Charitable Endowments Act, 1890 (6 of 1890), the Central Government do hereby order that the sum of Rs. 1,21,498/- [Rupees One lakh Twentyone Thousand Four hundred and Ninetyeight only] be re-invested in Fixed Deposit Scheme for 86 days in Syndicate Bank, Hauz Khas, New Delhi at the rate of interest 12% p.a., w.e.f. 28-08-92 and a sum of Rs. 33,67,409 (Rupees Thirtythree lakh Sixtyseven Thousand Four hundred and Nine only) [discounted value of Rs. 35,00,000/-] be re-invested in Certificate of Deposit Scheme for three months in Indian Overseas Bank, Janpath Branch, New Delhi at the rate of Interest 15.75% p.a. with effect from 25-08-92 as per particulars given below :

Sl. No.	Amount	Date of previous Inv.st- ment	Date of Maturity	Remarks
1.	1,21,498/-	13-07-92	28-08-92	
2.	35,00,000/-	25-05-92	25-08-92	Surplus will be deposited in FD for 3 months in Syndicate Bank, Hauz Khas, New Delhi.

2. The above account shall vest in the treasurer of charitable endowments of India to be held by him for being applied in accordance with the scheme for the administration of the National Children's Fund, New Delhi, published with the Notification of the Government of India in the then Department of Social Welfare No. S.O. 120(E) dated the 2nd March, 1979 amended from time to time.

[F. No. 13-4/92-TR-II]
R. L. MEENA, Dy. Director.

पर्यावरण और बन मंत्रालय

नई विल्लो, 31 अगस्त, 1992

का.पा. 2596:—केन्द्रीय सरकार राजभाषा (संघ के भासकीय प्रयोगों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम 4) के अनुसरण में पर्यावरण और बन मंत्रालय केन्द्रीय प्रदूषण मंत्रालय नियंत्रण बोर्ड, नई विल्लो के बड़ोदरा स्थित परिषद्मा आंशिक कार्यालय विद्यके कर्मचारीवृन्द ने हिन्दी का कार्यसाधक शाल प्राप्त कर लिया है को अधिसूचित करता है।

[सं.ई 11011/31/88-का हि-II]
उव्यराम ध्यानी, उप निदेशक (सा.पा.)

MINISTRY OF ENVIRONMENT & FORESTS

New Delhi, the 31st August, 1992

S.O. 2596.—In pursuance of Sub-Rule (4) of Rule 10 of the Official Language (use for Official Purpose of the Union) Rule, 1976 the Central Government hereby notifies the West Zone Office, Vadodara of the Central Pollution Control Board, New Delhi under the Ministry of Environment and Forests the staff whereof have acquired a working knowledge of Hindi.

[No. 11011/31/88-Ka Hindi-II]
U. R. DHYANI, Deputy Director (OL)

रसायन और उर्वरक मंत्रालय

(रसायन और ऐट्रो-रसायन विभाग)
नई विल्लो, 17 अगस्त, 1992

का.पा. 2597 :—केन्द्रीय सरकार सार्वजनिक परिसर (अधिकृत दबालकारों की बेदखली) अधिनियम, 1971 (1971 का 40) के अन्तर्गत 3 द्वारा प्रकृत शक्तियों का प्रयोग करते हुए, एतद्वारा निवेश की सारणी के कॉलम (1) में उल्लिखित अधिकारी को जो सरकार के राजपत्रिम अधिकारी के समतुल्य स्तर का अधिकारी है, उक्त अधिनियम के प्रयोजन के लिए सम्पदा अधिकारी नियुक्त करती है औ उक्त सारणी के कॉलम (2) में विनियिष्ट सार्वजनिक परिसरों के संबंध में, अपने अधिकार क्षेत्र को स्थानीय समाजों के अंदर, उक्त अधिनियम के द्वारा या अंतर्गत सम्पदा अधिकारीयों की सौभाग्य कालिंगों का पालन और शक्तियों का प्रयोग करेगा।

सारणी

अधिकारों का पदनाम

सार्वजनिक परिसरों की शक्तियों और
अधिकार क्षेत्र की स्थानीय समाजों

1

2

प्रबन्धक (कार्मिक)
बड़ोदरा संघर्ष,
ऐट्रोफिल्स कॉ-आपरेटिव लिंि., से संबंधित
बड़ोदरा।

बड़ोदरा (गुजरात) में ऐट्रोफिल्स
कॉ-आपरेटिव लि. से संबंधित
या उसके द्वारा या उसकी और से
पट्टे पर लिए गए सभी परिसर।

[सं. 32027/12/92-पी.सी.-I]

प्रण कुमार, उप सचिव

MINISTRY OF CHEMICALS & FERTILIZERS

(Department of Chemicals and Petrochemicals)

New Delhi, the 17th August, 1992

S.O. 2597.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of a gazetted officer of the Government, to be the estate officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed, on estate officers

by or under the said Act, within the local limits of his jurisdiction, in respect of the public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer

(1)

Manager (Personnel),
Vadodara Plant,
Petrofils Co-operative
Limited, Vadodara.

Categories of Public Premises
and local limits of jurisdiction

(2)

All premises belonging to or
taken on lease by or on behalf
of the Petrofils Co-operative
Limited, at Vadodara (Gujarat).

[No. 32027/12/92-PC.I]
ARUN KUMAR, Dy. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 16 सितम्बर, 1992

का.प्रा. 2598:—यतः पेट्रोलियम और अधिकार पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.प्रा.सं. 833 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिरिट्स भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिलाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सधाम प्राधिकारों ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और-ग्राम, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिरिट्स भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

प्रथा, यतः उक्त अधिनियम की धारा 6 का उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करता है कि इस अधिसूचना में संलग्न अनुसूची में विनिरिट्स जक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिलाने के प्रयोगन के लिए एतद्वारा अर्जित किया जाता है।

और याम उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने को बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से गुप्त रूप में, घोषणा के प्रकाशन की इस तारीख की निहित होगा।

अनुसूची

गोलाड़ा-1 से पश्चात्तन जंजीएस तक पाइप लाइन बिलाने के लिए।
राज्य:—गुजरात जिला:—भरचूल तालुकः—बागरा

गांव	स्वाक्षर नं.	हे.	मार.	से.रो.
नरनाथी	30	0	26	15
	18/ए	0	12	48
	18/बी	0	10	32
	16/बा	0	23	93
	12	0	12	48
	11	0	09	88

[मं. ओ.-12016/151/91 ओ.एन.जी.टी.-IV]
एन. मार्टिन, ईस्क प्रधिकारी

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 16th September, 1992

S.O. 2598.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 832 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (52 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Goladra-1 to Pakhajan GGS

State : Gujarat District : BHARUCH Taluka : Vagra

Village	Block No.	Hectare	Acre	Centi arc
Narnavi	30	0	26	15
	18/A	0	12	48
	18/B	0	10	32
	16/B	0	23	93
	12	0	12	48
	11	0	09	88

[No. O-12016/151/91/O.N.G.D._IV]
M. MARTIN, Desk Officer

नई दिल्ली, 16 सितम्बर, 1992

का.प्रा. 2599:—यतः पेट्रोलियम और अधिकार पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 1 की उपधारा के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.प्रा.सं. 833 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिरिट्स भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिलाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सधाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और याम, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिरिट्स भूमियों उपयोग अधिकार अर्जि। करने का विनिश्चय किया है।

अब, अनु: उक्त प्रधिनियम को धारा 6 को उत्थापा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करते हैं कि इस प्रधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त सूचियों में उत्थाप का अधिकार पाइलाइन बिल्डिंग के प्रयोजन के लिए एवं द्वारा प्रदत्त किया जाता है।

ओर, आगे उस धारा को उत्थापा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त सूचियों में उत्थाप का अधिकार केन्द्रीय सरकार में निहित होने को बजाय तेल और प्राकृतिक गैस आवेग में सभी बाधाओं से मुक्त का मैं, घोषणा के प्रकाशन को इस तारीख को निहित होगा।

अनुसूची

जो एन एक्स प्लाई से जो एन ए क्यू लक पाई लाईन बिल्डिंग के लिए।
राज्य: --गुजरात ज़िला: --मरुच तालुका: --जंबुसर

गांव	ब्लॉक नं.	हे.	प्रार.	मेट्री
नडीयाद	45/2	0	08	84

[म. अं. - 12016/152/91-एन. जो. अं. -IV]
एन. मार्टिन, डेस्क अधिकारी

New Delhi, the 16th September, 1992

S.O. 2599.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 833 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNXI to GNAQ
State : Gujarat District : Bhavnagar Taluka : Jambusar

Village	Block No.	Hect.	Are	Centiare
Nadiyad	45/2	0	08	84

[No. O-12016/182/71/ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 16 सितम्बर, 1992

का.प्रा. 2600. :--या: पेट्रोलिन्यम ओर विनियोजित पाइपलाइन यूनियन में उत्थाप के अधिकार का प्रज्ञन अधिनियम 1962 (1962 का 50)

को धारा 3 को उत्थापा (1) के प्रयोग सरकार के पेट्रोलिन्यम और प्राकृतिक गैस संबंधित को अधिसूचना का.प्रा.प्रा. 834 लारेज 14-3-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से नेतृत्व अनुसूची में विनिविष्ट सूचियों में उत्थाप के अधिकार का पाइपलाइनों का बिल्डिंग के लिए अधिजित करने का अन्तर्नाल अधिकार दिया था।

ओर अनु: यथा प्रधिनियम को धारा 6 को उत्थापा (1) के प्रयोग सरकार को दियोर्ट दे दी है।

ओर आगे, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट वर विवार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट सूचियों में उत्थाप का अधिकार अधिजित करने का दिनिविषय किया है।

अब, अनु: उक्त प्रधिनियम को धारा 6 को उत्थापा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करते हैं कि इन अधिसूचना में संलग्न अनुसूची में विनिविष्ट उक्त सूचियों में उत्थाप का अधिकार अधिजित करने का दिनिविषय किया जाता है।

ओर, आगे उस धारा को उत्थापा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त सूचियों में उत्थाप का अधिकार केन्द्रीय सरकार में निहित होने को बजाय तेल और प्राकृतिक गैस आवेग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन के इस दारोग को निहित होता।

अनुसूची

जो एन एक्स प्लाई से जो एन ए क्यू लक पाई लाईन बिल्डिंग के लिए।
राज्य: --गुजरात ज़िला: --मरुच तालुका: --जंबुसर

गांव	ब्लॉक नं.	हे.	प्रार.	मेट्री
1	2	3	4	5
नडीयाद	85/बो	0	29	90
	92	0	11	44
	96	0	01	60
	91	0	01	04
	97	0	07	54
	98	0	00	86
	85/प.	0	01	02
	100	0	09	32
	101	0	00	74
	102	0	06	24
	103	0	00	96
	104	0	11	44
	80	0	08	45
	79	0	06	76
	39/ए	0	26	00
	44	0	09	36
	11	0	08	45
	12	0	04	55
	8	0	34	58
	5	0	07	54
	3	0	13	52
	2	0	01	04
	गाडाजार	0	20	80

[म. अं. - 12016/153/91-एन. जो. अं. -IV]

एन. मार्टिन, डेस्क अधिकारी

SCHEDULE

Pipeline from GNXI to GNAQ

State : Gujarat	Distt : Bha auch	Taluka : Jambusar	1	2	3	4	5
Village	Block No.	Hect.	Are Cent.				
Kalak	733	0	21 45	950	0	00	72
	731	0	01 30	956	0	25	20
				955	0	09	60
				725	0	08	40
				726	0	20	00
				719	0	14	40
				730	0	12	00
				715	0	26	40
				713	0	10	20
				714	0	22	35
				709	0	00	65
				627	0	01	80
				638	0	19	40
				631	0	17	20
				633	0	12	00
				कार्ट ट्रैक	0	01	96
				643	0	00	30
				640	0	11	20
				641	0	11	20
				637	0	11	10
				600	0	05	20
				638	0	07	70
				594	0	11	00
				597	0	13	20
				591	0	00	80
				592	0	18	20
				589	0	19	00
				कार्ट ट्रैक	0	01	00
				586	0	16	80
				583	0	16	00
				553	0	10	08
				581	0	10	80
				कार्ट ट्रैक	0	01	00
				580	0	16	40
				579	0	11	00
				575	0	06	40
				577	0	09	60
				576	0	10	00
				572	0	14	40
				कार्ट ट्रैक	0	01	40

[No. O-12016/154/91-ONGD-IV]

M. MARTIN Desk Officer

नई दिल्ली, 16 सितम्बर, 1992

का०प्रा० २६०२—या॒: पेट्रोलियम और नैतिक पाइपलाइन सूमि में उपयोग के प्रधिकार का अर्जन प्रधिनियम १९६२ (१९६२ का ५०) का पारा ३ को उपधारा के अर्जन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय को प्रधिसूचना का०प्रा० मं० ८३७ पारीख १४-३-१२ द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट सूमियों में उपयोग के प्रधिकार को पाइपलाइन को बिछाने के लिए अर्जि॒: करने का अपना आशय घोषित कर दिया था।

ओ॒र या॒: संक्षम प्राधिकारी ने उक्त प्रधिनियम का धारा ६ को उपधारा (१) के अधीन सरकार को रिपोर्ट दें दो है।

ओ॒र, या॒: यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस प्रधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट सूमियों में उपयोग का प्रधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एन्द्रधारा अर्जि॒: किया जाता है।

ओ॒र या॒: उस धारा की ताबारा (४) द्वारा प्रवत शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त सूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, योग्यता के प्रकाशन को इस ताबीक को निहित होगा।

अनुसूची

जंक्षन बिन्टु से इक्का जो०ए०स/जीसीएस सक पाईप लाईन बिछाने के लिए

राज्य—गुजरात जिला—भरुच तालुका—जंबुसर

गांव	स्थानक नं०	हे.	मारा०	सेन्टी	1	2	3	4	5
कहानवा	34	0	00	96					
	39	0	00	78					
	28	0	17	46					
	29	0	20	80					
	26	0	11	20					
	24	0	11	60					
	946	0	11	80					
	947	0	18	00					
	948	0	00	50					
	959	0	15	20					
	958	0	06	00					
	962	0	00	96					
	957	0	00	48					

[सं० प्रा० 12016/156/91 पो०ए०ड०-IV]

एम॒. मार्टिन, ईस्क प्रधिकारी

New Delhi, the 16th September, 1992

S.O. 2602.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 837 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Junction point to Dabka GGS/GCS

State : Gujarat District : Baruch Taluk : Jambusar

Village	Block No.	H	ct.	Arc	Cent.
1	2	3	4	5	
Kahanwa	34	0	00	96	
	39	0	00	78	
	28	0	17	46	
	29	0	20	80	
	26	0	11	20	
	24	0	11	60	
	946	0	11	80	
	947	0	18	00	
	948	0	00	50	
	959	0	15	20	
	958	0	06	00	
	962	0	00	46	
	957	0	18	08	
	950	0	00	72	
	956	0	25	20	
	955	0	09	60	
	725	0	08	40	
	726	0	20	00	
	719	0	14	40	
	740	0	12	00	
	715	0	26	40	
	713	0	10	20	
	714	0	22	35	
	709	0	00	65	
	627	0	01	80	
	628	0	19	40	
	631	0	17	20	
	633	0	12	00	
	Cart track	0	01	96	
	643	0	00	30	
	640	0	11	20	
	641	0	11	20	
	637	0	11	10	
	600	0	05	20	
	638	0	07	70	
	594	0	11	00	
	597	0	13	20	
	591	0	00	80	
	592	0	18	20	
	589	0	19	00	
	Cart track	0	01	00	
	586	0	00	80	
	583	0	16	00	
	553	0	10	08	
	581	0	10	80	
	Cart track	0	01	00	
	580	0	16	40	
	579	0	11	00	
	575	0	06	40	
	577	0	09	60	

1	2	3	4	5
	576	0	10	00
	572	0	14	40
	Cart track	0	01	40

[No. O-12] 16/156/91/ONGD-IV
M. MARTIN, Desk Officer

ਮੈਡ ਵਿੱਲੀ, 16 ਸਿਤਾਮਾਰ, 1992

कांधा० 2603:—यत् पेट्रोलिनम औरक्षनित्र पाइपलाइन (भूमि में उपयोग के अधिकार का प्रतीत) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय पेट्रोलिनम विभाग की अधिसूचना कां०पा० नं० ४४० तरीका 25-२-१९२ द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनियित भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अंतिम करते था अपना आशय घोषित कर दिया था।

और यह सक्षम प्राधिकारी ने उक्त भवित्वित्यम् को धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी ।

और ग्रामे, यतः केन्द्रीय सरकार ने उन्हें ग्रिंडर पर विचार करने के पश्चात् इस अधिसूचना से संबंध भ्रत्यूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

परं, अतः उक्त भविनियम की द्वारा 6 को उपधारा (1) द्वारा प्रत्यक्ष सक्ति का प्रयोग करने द्वारा केन्द्रीय सरकार एवं द्वारा धोखित करने हैं कि इस ग्रधिमूचना में संचयन भनुत्पत्ति में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिलारे के प्रयोगन के लिए एवं द्वारा अर्जित किया जाता है।

और आगे उम धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करो द्वारा केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार फेन्ड्रीय सरकार में निहित होने को बजाय तेव और प्राकृतिक गैस धारों में, सभी नाधारों से युक्त रूप में, शोषण के प्रकारण को इस नारीश को निहित होगा ।

प्रान्तसूची

गणेश-१ में इक्षा जो० सी० एम० तरु पाद्य लाइन बिल्डने के लिए
राज्य—गणराज्य जिना—सत्त्व तालिका—जंबूसर

गांव	इकाक नं०	हैक्टेयर	ग्राम०	सेन्टीयर
गजे०	1403	0	17	40
	1401	0	90	90
	1391	0	15	30
	1682	0	94	50

[स० श्रो० १२०१६/१५९/११-ओ०एन०जो०झी० --[V]
ए.प० मार्टिन, डैस्क प्रधिकारी

New Delhi, the 16th September, 1992

S.O. 2603.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 880 dated 25-2-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government:

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the user in the lands in the Schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GAJERA-I to Dabaka GCS.

State : Gujarat District: Bharuch Taluka : Jambusar.

Village	Block No.	Hect.	Acre	Cent.
GAJERA	1403	0	17	40
	1401	0	00	90
	1391	0	15	30
	1682	0	04	50

[No. O-12016/159/91/ONGD-IV]

M. MARTIN, Desk Officer

नई दिनांकी, 16 सितम्बर, 1992

का०ग्रा० 2604 :—यतः पेट्रोलियम और अनिंज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के संधीन सारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का०ग्रा०सं० 850 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संबंध अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः मध्यम प्राधिकारी से उक्त अधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार द्वारा रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करों के पश्चात् इस अधिसूचना से संबंध अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त मानिक का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करनी है कि इस अधिसूचना में संबंध अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोग के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त जाकियों के प्रयोग करने हुए केन्द्रीय सरकार निर्वाच देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय सेवा और प्राकृतिक गैस आयोग में सभी बाधाओं से नुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

गोलादरा-1 से जीजीएम-IV तक पाइपलाइन बिछाने के लिए
राज्य—गुजरात जिला—भरुच तालुका—जागरा

गांव	ब्लॉक नं०	हे०	ग्रा०	गोस्टी०
1	2	3	4	5
पनीआदरा	186	0	01	94
	188/A+B	0	19	31

1	2	3	4	5
	191	0	04	41
	192	0	03	51
	247	0	00	88
	249	0	13	68
	251	0	07	41
	Cart track	0	01	04

[सं० ओ०— 12016/169/91—ओ०ग्रा०जी०ड०—IV
एम० मार्टिन, डेस्क ऑफिसर]

New Delhi, the 16th September, 1992

S.O. 2604.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 850 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GOLADRA-1 to GGS IV

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect.	Acre	cent.
Paniyadra	186	0	02	94
	188/A+B	0	19	34
	191	0	04	48
	192	0	03	51
	247	0	00	88
	249	0	13	68
	251	0	07	41
	Cart track	0	01	04

[No. O-12016/159/91-ONGD. -IV]
M. MARTIN, Desk Officer

नई दिनांकी, 16 सितम्बर, 1992

का०ग्रा० 2605:—यतः पेट्रोलियम और अनिंज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अवधिग्राहीत सारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का०ग्रा० सं० 851 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संबंध अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यह सक्षम प्रधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है;

और आगे, यह केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनियिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनियम किया है;

अब, अब उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिलाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है;

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, विषय के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जीएनजीएम से जीजीएम-II तक पाइप लाइन बिलाने के लिए
राज्य—गुजरात जिला—भावूच तालुका—वागरा

गांव	ब्लाक नं०	है०	आर०	सेन्टी०
पालडी	24	0	02	12
	25	0	06	24
	26	0	07	54
	27	0	10	66
	30	0	15	47
	15	0	09	62
कार्ट ट्रैक	0	01	56	
416	0	06	76	
414	0	03	64	
419	0	18	62	
417	0	21	97	
400	0	14	69	
402	0	13	65	
353/A + B	0	21	84	
372	0	23	53	
373	0	09	62	
366	0	00	38	
365	0	27	04	
287	0	02	60	
283	0	18	98	
285	0	14	56	
277/B	0	08	84	
276/B	0	23	53	
268	0	15	73	
269	0	26	26	
273	0	09	23	
274	0	02	86	

[सं. ओ०-१२०१६/१७०/९१-जीएनजी०डी०-[V]]

एम. मार्टिन, डैस्क अधिकारी

2413 GI/9—6

New Delhi, the 16th September, 1992

S.O. 2605.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 851 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from GNGM to MGS II.

State : Gujarat District : Bhavnagar Taluka : Vagora.

Village	Block No	Hectare	Acre	Centier
Paldi	24	0	02	12
	25	0	06	24
	26	0	07	54
	27	0	10	66
	30	0	15	47
	15	0	09	62
Cart track	0	01	56	
416	0	06	76	
414	0	03	64	
419	0	18	72	
417	0	21	97	
400	0	14	69	
402	0	13	65	
353/A + B	0	21	84	
372	0	23	53	
373	0	09	62	
366	0	00	38	
365	0	27	04	
287	0	02	60	
283	0	18	98	
285	0	14	56	
277/B	0	08	84	
276/B	0	23	53	
268	0	15	73	
269	0	26	26	
273	0	09	23	
274	0	02	86	

[No. O-12016/170/91-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 10 अक्टूबर, 1992

का. आ. 2606.—यत. पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) विधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अर्थात् भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. आ. म'. 852 तारीख 25-2-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिविल्प भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अंजित करने का ग्राना प्राप्ति कर दिया था;

और यत. मध्यम प्राधिकारी ने उक्त अधिनियम की धारा 3 की उपधारा (1) के अर्थात् सरकार को रिपोर्ट देंदा है;

और आगे, यत. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिविल्प भूमियों में उपयोग का अधिकार अंजित करने का विनिश्चय किया है;

प्रथम, भ्र. उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा दोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिविल्प भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एवं द्वारा अंजित किया जाता है;

और प्राप्त उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से सुरक्षित रूप में, योषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

कप नं. 15 से पर. आई. पी. 34 तक पाइपलाइन विधाने के लिए

राज्य—गुजरात जिला—मेहसाना नामका विलोक्य

गांव सर्वे नं. हेवटेगर आर. सेन्ट्रीयर

1	2	3	4	5	1	2	3	4	5
जेटलज	372/	0	0.6	50	7	0	0.2	20	
	364/1	0	0.1	50	8/2	0	0.0	80	
	364/	0	0.4	70	9/2	0	0.2	20	
	362/1	0	0.3	00	10/पी	0	0.0	75	
	352/1	0	0.4	70	10/पा	0	0.1	70	
	357/1	0	0.1	45	24/1	0	0.1	00	
	कार्ट ट्रै.	0	0.0	45	27/2	0	0.1	00	
	475	0	0.3	45	28	0	0.1	70	
	477/1	0	0.1	05	29/2	0	0.1	70	
	477/1	0	2	50	30/1	0	0.1	80	
	478/व	0	3	55	31/पी	0	0.2	10	
	478/1/पी	0	2	55	31/पी	0	0.5	90	
	479/1/1	0	0	50	32/2	0	0.3	45	
	480/2	0	1	95	32/पी	0	0.1	95	
	430/1	0	2	20	32/पी	0	0.2	10	
	431	0	3	55	कार्ट ट्रैक	0	0.0	35	
	433	0	1	15	162/2	0	0.2	65	
	434	0	0.4	20	162/1	0	0.1	65	
	550/	0	0.4	50	148	0	0.3	85	
	550/1	0	0.4	35	149	0	0.4	20	
	1	0	0.7	20	146	0	0.2	15	
					98/1	0	0.4	25	
					99/2	0	0.3	40	
					89	0	0.1	40	
					91/2	0	1.2	30	
					92/2	0	0.4	50	
					92/1	0	0.0	50	
					61	0	0.3	55	
					60	0	0.3	00	
					53	0	0.2	60	
					56	0	0.3	75	
					57	0	0.4	05	

[सं. अंक 12016/171/91-आ एत नं. शी-IV]

एम. मार्टिन, ईरक अधिकारी

New Delhi, the 16th September, 1992

S.O. 2606.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 852 dated 25-2-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in

Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. 15 to S.I.P. 34.

State : Gujarat District: Mehsana Taluka : Kalol

Village	Survey No.	Hect.	Acre	Cent.
1	2	3	4	5
Jethlai	372/2	0	06	50
	364/1	0	01	50
	364/2	0	04	70
	362/1	0	03	00
	357/1	0	04	70
	357/2	0	01	45
	Cart track	0	00	45
	475	0	03	45
	477/3	0	01	05
	477/1	0	2	50
	478/B/1	0	3	55
	478/1/C	0	2	55
	479/1/A	0	0	50
	480/2	0	1	95
	480/1	0	2	20
	486	0	3	55
	483	0		5
	484	0	04	20
	550/2	0	04	50
	550/1	0	04	35
1	0	07	20	
7	0	02	20	
8/2	0	00	80	
9/2	0	02	25	
10/P	0	00	70	
10/P	0	01	70	
24/1	0	01	00	
27/2	0	01	00	
28	0	01	70	
29/2	0	01	70	
30/1	0	01	80	
31/P	0	02	10	
31/P	0	05	90	
32/2	0	03	45	
32/P	0	01	95	
32/P	0	02	10	
Cart track	0	00	35	
162/2	0	02	65	
162/1	0	01	65	
148	0	03	85	
149	0	04	20	
146	0	02	15	
98/1	0	04	25	
99/2	0	03	40	
89	0	01	40	
91/2	0	12	30	
92/2	0	04	50	
92/1	0	00	50	
61	0	03	55	
60	0	03	00	
58	0	02	60	
56	0	03	75	
57	0	04	05	

[No. O-12016/171/91-ONGD-JV]
M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2607.—यत्. पेट्रोलियम और नैचुरल गैस पाइपलाइन भूमि में उपयोग के अधिकार की अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा नंप्राय एंट्रोलियम विभाग की अधिसूचना का. आ. सं. 853 तारेख 25-2-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुभूति में विनियिट मूमियों में उपयोग के अधिकार की पाइपलाइनों को बिलाने के लिए अधिनियम करने का अपना आपाय घोषित कर दिया था।

ओर यह: मध्यम प्राधिकारों ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट देंगी है।

आर अगे, यत्. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात स्स अधिसूचना से संलग्न अनुभूति में विनियिट मूमियों में उपयोग का अधिकार अधिनियम किया है।

अब, यत्. उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त जाकी का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा घोषित करते हैं कि इस अधिसूचना में संलग्न अनुभूति में विनियिट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिलाने के प्रयोजन के लिए एवं द्वारा अर्जित किया जाता है।

और अगे उस धारा की उपधारा (4) द्वारा प्रदत्त अधिनियम का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देने हैं कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित हाने का बजाय सेल और प्राकृतिक गैस आपोग में, सभी आधारों से मुक्त रूप से, घोषणा के प्रकाशन को इस तारीख को निहित होगा।

अनुभूति सी. टी. एफ से तरखेज तज राइपलाइन विभाने के लिए
रखत: गुजरात जिला भहसीणा तालुका: फलोल

गांव	जनाक नं.	हेक्टर	आर.	सेन्टीमर
वायणा	338	0	31	4
	336	0	25	00
	335	0	16	20
	334	0	07	30
	333	0	22	80
	325	1	04	90

[सं. ओ.-12016/171/91--ओ. एन. जी. शी.-IV]

एम. मर्टिन, डेस्क अधिकारी

New Delhi, the 16th September, 1992

S.O. 2607.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 853 dated 25-2-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Neth Kadi CTF to SARKHEJ

State : Gujarat District Mehsana Taluka : Kalol

Village	Block No.	Hect.	Arc.	Cont.
Vayana	338	0	31	40
	336	0	25	00
	335	0	16	20
	334	0	07	30
	333	0	22	80
	325	1	04	90

[N.O. 0-12016/175/91-ONGD-1]

M. MARTIN, Desk Officer.

तर्फः फ़िर्मी, 16 अक्टूबर, 1992

क्र. अ. १६०४.—यह नोटिसियम और खनिज पालालाद भूमि में उपर्योग के प्रधिकार का अर्जन अधिनियम 1962 (1962 वा 50) की धारा ३ को उपर्योग के अर्जन भाग सरकार के प्रदूषिता तथा प्राकृतिक गैस सत्रालय की प्रधिकारता का, ग्रा. न. ४८६ गारीब १४-३-७२ द्वारा केन्द्रीय सरकार ने यह अधिसूचना में भाग अनुसूची में विनियिष्ट अधिकों में उपर्योग के प्रधिकार का प्रदानादारों को विचार के लिए अर्जन करते का ग्रान्ति प्राप्ति कर दिया था।

ओर यह: मध्यम प्राधिकारी ने उक्त अधिनियम की धारा ६ को उपर्योग (१) के संरक्षण ग्रहकों दो ग्रान्ट दे दी है।

ओर आगे: वन. केन्द्रीय सरकार ने उक्त ग्रान्ट पर विचार करने के पश्चात् हृषि प्रधिकार भूमि में अनुसूची में विनियिष्ट भूमियों में उपर्योग का अधिकार प्राप्त ग्रहन विकाने के ग्रान्ट के लिए एन्ड्राग्रा मर्जिया किया जाता है।

ग्राम, अव: उक्त नोटिसियम की धारा ६ की उपर्योग (१) द्वारा दूसरे ग्रान्ट के हृषि केन्द्रीय सरकार एवं द्वारा उपर्योग करने के लिए इस प्रधिकारता में ग्रहन अनुसूची में विनियिष्ट उक्त भूमियों में उपर्योग का अधिकार प्राप्त ग्रहन विकाने के ग्रान्ट के लिए एन्ड्राग्रा मर्जिया किया जाता है।

ओर आगे उक्त धारा की उपर्योग (१) द्वारा प्रदत्त अधिकों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपर्योग का अधिकार केन्द्रीय सरकार में निहित होने वाले व्रजाय तेज और प्राकृतिक गैस आयोग में जमीन यात्राओं से मूल्य व्यवस्था में, नोपान के व्यवायन का रैमनार्गी को निहित होगा।

अनुसूची

यह उक्त ग्रा. अ. (१) में लिखा ई पी एम-१ तक पाठ्य लाइन विचार के लिए।

राज्य—ग्रा. अ.	प्रा. महेश्वरा	तानुसं—व्रातम्।
नाम	सर्वे नं	हि. आर. मे.
शानोदराडा	93	0 01 92
	95	0 09 48
	97/2	0 11 64
	98	0 00 60

[स. अ. -12016/175/91-ग्रा. प्रा. अ. -IV]

प्रा. महेश्वरा, १२८ अ. १८८ वा.

New Delhi, the 16th September, 1992

S.O. 2698.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 856 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipe line from LWED (40) to LANWA EPS-I
State : Gujarat District : Mehsana Taluka : Chansana

Village	Survey No.	Hect.	Arc.	Cont.
Denodarda	93	0	01	92
	95	0	09	48
	97/2	0	11	64
	98	0	00	60

[E.No. 0-12016/175/91-ONGD. -IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2609.—यतः पेट्रोलियम और अन्नीय पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपशारा के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की प्रधिसूचना का. आ. म. 857 नारीब 14-3-92 द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना से मंत्रगत अनुसूची में विनियिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अंजित करने का अपना आवाय घोषित कर दिया था।

और यतः मक्षम प्राधिकारी ने उस प्रधिनियम की धारा 6 की उपशारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विवार करने के पश्चात इस प्रधिसूचना से मंत्रगत अनुसूची में विनियिष्ट भूमियों का उपयोग का अधिकार अंजित करने का विनियवय किया है।

अब, यतः उक्त प्रधिनियम की धारा 6 की उपशारा (1) द्वारा अंजित का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विनियिष्ट होने की व्याय नेत और प्राकृतिक गैस प्रायोग में सभी बाधाओं में मुक्त रहा है, ताकि वार्षिक क्रांति की इस नारीब को निहित होगा।

अनुसूची

प्रत. उक्त एक एक (37) में लिखा है कि धारा-11 तक पार्श्व नाईन बिछाने के लिए।

राज्य:—गुजरात	जिला:—महेश्वरी	तालुका:—चाणक्य		
गांव	सर्वे नं.	हे.	आर.	सेन्टी.
दाणोवरदा	102	0	02	40
	102	0	09	60
	102	0	08	88

[सं. ओ.-12016/176/91-ओ. एन. जी. डी.-IV]

एम. मार्टिन, डेस्क प्राधिकारी

New Delhi, the 16th September, 1992

S.O. 2609.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 857 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central

Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from LWFF (37) to LANWA EPS. II

State : Gujarat District : Mehsana Taluka : Chanasma

Village	Survey No.	Hect.	Are	Cent.
Danodarda	102	0	02	40
	102	0	09	60
	102	0	08	88

[No. O-12016/176/91-ONGD-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2609—यतः पेट्रोलियम और अन्नीय पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपशारा (1) के प्रतीत भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की प्रधिसूचना का. आ. म. 859 नारीब 14-3-92 द्वारा केन्द्रीय सरकार ने उस प्रधिसूचना से मंत्रगत अनुसूची में विनियिष्ट भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोग के लिए एतद्वारा अंजित करने वाला अपना आवाय घोषित कर दिया था।

और यतः मक्षम प्राधिकारी में उक्त प्रधिनियम की धारा 6 की उपशारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार उस रिपोर्ट पर विवार करने के पश्चात इस प्रधिसूचना से मंत्रगत अनुसूची में विनियिष्ट भूमियों में उपयोग का अधिकार अंजित करने का विनियवय किया है।

अब, यतः उक्त प्रधिनियम की धारा 6 की उपशारा (1) द्वारा अंजित का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस प्रधिसूचना में मंत्रगत अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोग के लिए एतद्वारा अंजित किया जाता है।

और आगे उक्त प्रधारा का उपशारा (4) द्वारा प्रवर्ती गविरों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विनियिष्ट होने को वापर नेत और प्राकृतिक गैस प्रायोग में सभी बाधाओं में मुक्त रहा है, ताकि वार्षिक क्रांति की इस नारीब को निहित होगा।

अनुसूची

प्रत. उक्त एक एक. डी. ओ. में लिखा है कि धारा-1 तक पार्श्व नाईन बिछाने के लिए।

राज्य:—गुजरात	जिला:—मेहश्वरी	तालुका:—चाणक्य		
गांव	सर्वे नं.	हे.	आर.	सेन्टी.
मनया	510	0	18	00
	433	0	25	44
	436	0	07	32

[सं. ओ-12016/176/91-ओ. एन. जी. डी.-IV]

एम. मार्टिन, डेस्क प्राधिकारी

New Delhi, the 16th September, 1992

S.O. 2610.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 859 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from LWDO to LANWA EPS- I.

State : Gujarat District: Mehsana Taluka : Chanasma

Village	Survey No.	Hect.	Arc.	Cent.
Lanwa	510	0	18	00
	433	0	25	44
	436	0	07	32

[No. O-12016/178/91-ONGD-IV]

M. MARTIN, Desk Officer.

नई विल्सी, 16 सितम्बर, 1992

का.आ. 2611:—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के प्रधिकार का अर्जन प्रधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की प्रधिमूलन का.आ.स' 860 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उस प्रधिमूलन से संलग्न मनुसूची में विनिर्दिष्ट भूमियों में उपयोग के प्रधिकार को पाइपलाइनों को विछाने के लिए प्राप्त करने का अपना आशय घोषित कर दिया था।

और यतः सरकार प्राधिकारी ने उक्त प्रधिनियम की धारा 6 को उपधारा (1) के अधीन सरकार को विधान दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त विधान पर विचार करने के पश्चात इस प्रधिमूलन से संलग्न मनुसूची में विनिर्दिष्ट भूमियों में उपयोग का प्रधिकार अर्जित करने का विनिष्कय किया है।

प्रव, यतः उक्त प्रधिनियम की धारा 6 को उपधारा (1) द्वारा प्रवल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एवं द्वारा घोषित करती है कि इस प्रधिमूलन में संलग्न मनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन विछाने के प्रयोग के लिए एवं द्वारा अर्जित किया जाना है।

और आगे उस धारा की उपधारा (4) द्वारा प्रवल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वाच देता है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने को बताय तेव और प्राकृतिक गैस आशय में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन का इस तारीख को निहित होगा।

मनुसूची

एल.इन्ड्रु ली ओएल इन्ड्रु लीएन दे नारा इपोट-1 नह वाइट नाइट विछाने के लिए।

राज्य : —गुजरात जिला : —मेहसाना तालुका : —चाणसमा

गांव	सर्वे नं.	हे.	आर.	सेंटी.
मिठाधरवा	474	0	13	20
	481	0	07	20
	480	0	02	76
	479	0	10	20
	485	0	05	28

[स. आ.—12016/179/91-आ एन जो बो-IV]

एम. मार्टिन, ईस्क प्रधिकारी

New Delhi, the 16th September, 1992

S.O. 2611.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 860 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from LWDO, LWDL to LANWA EPS-I

State : Gujarat District: Mehsana Taluka : Chanasma

Village	Survey No.	Hect.	Arc.	Cent.
Mithadharava	474	0	13	20
	481	0	07	20
	480	0	02	76
	479	0	10	20
	485	0	05	28

[No. O-12016/178/91-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2612.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के प्रधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिकृतना का. आ. सं. 861 तारीख 14-3-92 द्वारा केन्द्रीय सरकार ने उक्सौट अधिकृतन से संबंध अनुसूची में विनियिष्ट भूमियों में उपयोग के प्रधिकार के पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आधार घोषित कर दिया था।

और यह यतः मध्यम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिकृतन से संबंध अनुसूची में विनियिष्ट भूमियों में उपयोग का प्रधिकार अर्जित करने का विनियय किया है।

अब, यतः उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों के प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिकृतन में संबंध अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों के प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में निहित होने की बजाय सेवा और प्राकृतिक गैस आयोग में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

एल. इल्लूए जी (19) से लनवा इपीएस-1 तक पाइप लाइन बिछाने के लिए।

राज्य : —गुजरात जिला : —मेहसाना तालुका : —चानासमा

गांव	मर्चे नं.	हे.	आर.	सेटी.
भोठा भरपा	379	0	07	56
	398	0	03	96
	397/पी	0	07	80
	397/पी	0	08	40
	396/पी	0	08	40
	396/पी/1	0	02	16
	403	0	05	40

[म. औ. —12016/180/91-ओ एम जी डी-4)]

एम. मार्टिन, ईस्ट अधिकारी

New Delhi, the 16th September, 1992

S.O. 2612.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 861 dated 14-3-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from LWAJ (19) to LANWA EPS-I

State : Gujarat District: Mehsana Taluka : Chanasma

Village	Survey No.	Hect.	Arc	Cent
Mithadharava	379	0	07	56
	398	0	03	96
	397/P	0	07	80
	397/P	0	08	40
	396/P	0	08	40
	396/P/I	0	02	16
	403	0	05	40

[No. O-12016/180/91-ONGD-VI]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2613.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के प्रधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिकृतना का. आ. सं. 1442 तारीख 8-6-92 द्वारा केन्द्रीय सरकार उक्त अधिकृतन से संबंध अनुसूची में विनियिष्ट भूमियों में उपयोग के प्रधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आधार घोषित कर दिया था।

और आगे, यतः मध्यम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिकृतन से संबंध अनुसूची में विनियिष्ट भूमियों में उपयोग का प्रधिकार अर्जित करने का विनियय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिकृतन में संबंध अनुसूची में विनियिष्ट उक्त भूमियों में उपयोग का प्रधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में मिहित होने की बजाय तेल और प्राकृतिक गैस आयोग में सभी बाधाओं से उक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

भन्सूची

ओलपाड-10 से ओलपाड-2 तक पाइप लाइन विठाने के लिए
राज्य :—गुजरात ज़िला :—सूरत नामका :—ओलपाड

गांव	इकान नं.	हेक्टेयर	आर.	सेंटी.
ओलपाड	777/प	0	12	48
	758	0	32	50
	757	0	18	72
	740	0	08	32
	741	0	05	20
	736	0	18	75
	734	0	01	01
	733/प	0	11	90
	733/बी	0	00	90
कार्ट ट्रैक		0	00	52
	681	0	15	60
	679	0	13	00
	680	0	06	24
	618	0	24	44
	626	0	05	20
	561	0	12	48
	562	0	05	20
	564	0	28	08
	550	0	06	24
	570	0	20	80
	569	0	07	28

[सं. ओ. - 12016/186/91—ओ एन जी बी-4]

एम. मार्टिन, इंस्ट्रक्शन विभागी

New Delhi, the 16th September, 1992

S.O. 2613.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1442 dated 6-6-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from OLPAD-10 to OLPAD-2

State : Gujarat District: Surat Taluka : OLPAD

Village	Block No.	Hect.	Acre	Cent.
Olpad	777/A	0	12	48
	758	0	32	50
	757	0	18	72
	740	0	08	32
	741	0	05	20
	736	0	18	75
	734	0	01	01
	733/A	0	11	90
	733/B	0	00	90
Cart track	0	00	52	
	681	0	15	60
	679	0	13	00
	680	0	06	24
	618	0	24	44
	626	0	05	20
	561	0	12	48
	562	0	05	20
	564	0	28	08
	550	0	06	24
	570	0	20	80
	569	0	07	18

[No. O-12016/186/91-ONGD. IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

फा. प्रा. 2614.—यह: पेट्रोलियम और अनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना फा. प्रा. सं. 1444 तारीख 6-6-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भन्सूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को विठाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था;

और यह: सधम प्राधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार को रिपोर्ट के लिए;

और प्राप्त: उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त प्रतिक्रिया का प्रयोग करने हुए केन्द्रीय सरकार एवं द्वारा घोषित करनी है कि इस अधिसूचना में संलग्न भन्सूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन विठाने के प्रयोजन के लिए अत्यधिक अर्जित किया जाता है;

प्रत: उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त प्रतिक्रिया का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेज और प्राकृतिक गैस प्रयोग में सभी वाधाओं से मुक्त रूप में, घोषणा के प्रक्रिया की इस तारीख को निश्चित होगा।

और प्राप्त: उम धारा की उपधारा (4) द्वारा प्रदत्त अकिन्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजाय तेज और प्राकृतिक गैस प्रयोग में सभी वाधाओं से मुक्त रूप में, घोषणा के प्रक्रिया की इस तारीख को निश्चित होगा।

मनुसूची

डबका-6 से डबका जी.जी.एस/जी.सी.एस. तक पाइपलाइन बिछाने के लिए।

राज्य : —गुजरात

ज़िला : —वडोदरा

तालुका : पादरा

गांव	खालक	हेक्टेनर	आर.	मेट्रोवर
मजातन	412	0	03	98
	411	0	04	34
	413	0	13	05
	477	0	03	10
	476	0	20	80
	448	0	20	10
	475	0	11	05
	474	0	05	85
	473	0	10	92
	472	0	00	80
	461	0	03	24
	471	0	10	66
	470	0	02	08
	468	0	07	80
	467	0	01	60
	463	0	02	60
	464	0	08	06
कॉर्ट ट्रैक	0	00	91	

[मं. ओ.-12016/188/91-ओ.एन.जी.जी.-IV]
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 16th September, 1992

S.O. 2614.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1444 dated 6-6-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

2413 GI/92--7.

SCHEDULE

Pipeline from DABKA-6 to DABKA GGS/GCS.

State : Gujarat District:Vadodara Taluka : Padra.

Village	Block No	Hect.			Acre	Cent.
		1	2	3		
Majatan		412	0	03	98	
		411	0	04	34	
		413	0	13	05	
		477	0	03	10	
		476	0	20	80	
		448	0	02	10	
		475	0	11	05	
		474	0	05	85	
		473	0	10	92	
		472	0	00	80	
		461	0	03	24	
		471	0	10	66	
		470	0	02	08	
		468	0	07	80	
		467	0	02	60	
		466	0	01	60	
		464	0	08	06	
	Cart track	0	00	91		

[No. O-12016/188/91-ONGD-IV]

M. MARTIN, Desk Officer.

तर्ह विलिंगी, 16 सितम्बर, 1992

का.ओ. 2615 :—यह नियम और खतिंग पाइपलाइन भूमि में उपयोग के अधिकार का प्रत्येक मध्यनियम, 1962 (1962 का 50) की धारा 3 की उन धारा के अधीन भारत सरकार के प्रत्येक नियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.ओ.नं. 1445 नारीख 6-6-92 वारा केन्द्रीय सरकार ने उस अधिसूचना से मंत्रगत अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनर्नी को दिया तो नियंत्रित करने का अपना प्राप्तवाय घोषित कर दिया था।

और यह सभी प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट करने के लिए उपयोग के अधिकार को अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा प्रत्यक्षित किया जाता है।

अब, यह उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा प्रत्यक्षित किया जाता है।

और यांगे उन धारा की उपधारा (4) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होते की बजाय तेल और प्राकृतिक गैस प्राप्तयोग में सभी बाधाओं से मक्तु हो में, घोषणा के प्रकाशन की इस नारीख को निश्चित होती है।

मनुसूची

अंकधन विष्टु के उबका भी. सी. एस. वक्त पाइप लाइन विलास के लिए।
राज्य: —गुजरात जिला: —वडोदरा तालुका: —पाद्रा

गांव	एलाका नं.	हेक्टेयर	भार.	सेटीयर
गवासद	217	0	11	28
	218	0	33	44
	219	0	21	00
	221	0	03	20
	220	0	07	20
काट्टेर	0	01	80	
199	0	13	10	
193	0	28	80	
194	0	08	40	
190	0	05	36	
195	0	16	40	
187	0	04	80	
188	0	11	20	
189	0	03	60	
काट्टेर	0	01	40	
153	0	24	00	
152	0	14	80	
141	0	07	60	

[ए० न० 12016/189/91-ए० एस० व०००४०४०४० IV]

एस. यादिन, उपराज्यिकारा

New Delhi, the 16th September, 1992

S.O. 2615.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1445 dated 6-6-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Junction Point to Dabka GCS

State : Gujarat District : Vadodara Taluka : Padra

Village	Block No.	Hect.	Aro	Cent	are
Gawasad	217	0	11	28	
	218	0	33	44	
	219	0	21	00	
	221	0	03	20	
	220	0	07	20	
Cart track	0	01	80		
	199	0	13	10	
	193	0	28	80	
	194	0	08	40	
	190	0	05	36	
	195	0	16	40	
	187	0	04	80	
	188	0	11	20	
	189	0	03	60	
Cart track	0	01	40		
	153	0	24	00	
	152	0	14	80	
	141	0	07	60	

[F.No. 12016/189/91-ONGD-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का.पा. 2616:—यह: पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के प्रतिकार का अर्जन प्रतिनियम 1962 (1962 का 30) को धारा 3 की उपचारा के प्रक्षेत्र भारत सरकार के पेट्रोलियम और प्राकृतिक देश पंक्तिक भूमि विभाग का.पा.सं. 1446 द्वारा 6-6-92 द्वारा केन्द्रीय सरकार ने उस प्रतिमूलका के अंतर्भूत अनुसूची ने विनियिष्ट भूमियों में उपयोग के प्रतिकार को पाइपलाइनों को विलास के लिए अर्जित करने का अपना प्राथमिक ध्येय कर दिया था।

और यह: सक्षम प्राधिकारी ने उक्त प्रतिनियम को धारा 6 की उपचारा (1) के प्रतीकार को रिपोर्ट के सी है।

और यह, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस प्रतिमूलका से संलग्न अनुसूची में विनियिष्ट भूमियों में उपयोग का प्रतिकार पाइपलाइन विलास के प्रयोजन के लिए एवं द्वारा अर्जित किया जाता है?

यह, यह: सक्षम प्राधिकार की धारा 6 की उपचारा (1) द्वारा प्रत्येक वर्ष त्रिवेदीय सरकार द्वारा एवं विविध सका भूमियों में उपयोग का प्रतिकार केन्द्रीय सरकार में निहित होने की वजाय सेवा और प्राकृतिक गंभीर आयोग में सभी वादाओं से मुक्त रूप में, धोषणा के प्रकाशन की इस तारीख को निहित होगा।

और यह: उक्त धारा की प्रधानपद (4) द्वारा प्रवत्त प्रक्रियों का प्रयोग वर्ते त्रिवेदीय सरकार द्वारा होती है कि उक्त भूमियों में उपयोग का प्रतिकार केन्द्रीय सरकार में निहित होने की वजाय सेवा और प्राकृतिक गंभीर आयोग में सभी वादाओं से मुक्त रूप में, धोषणा के प्रकाशन की इस तारीख को निहित होगा।

प्राप्ति सूची

डबका-6 से डबका जी.जी.एस./जी.सी.एस तक पाइप लाइन बिलास के लिए।

राज्य: — गुजरात

जिला: — वडोदरा

तालुका: — पादरा

गाव	ब्लॉक नं.	हेक्टेयर	आर.	सेटीयर
चित्राल	290	0	19	76
	289	0	10	66
कार्ट ट्रैक	0	00	52	
291	0	13	52	
292	0	05	46	
285	0	11	44	
277	0	12	48	
233	0	10	40	
234	0	22	10	
201	0	12	22	
कार्ट ट्रैक	0	00	52	
228	0	03	12	
224	0	09	88	
कार्ट ट्रैक	0	00	65	
200	0	13	26	
199	0	08	84	
202	0	08	32	
कार्ट ट्रैक	0	00	78	
154	0	18	20	
153	0	08	45	
152	0	08	32	
151	0	00	12	
कार्ट ट्रैक	0	01	56	
143	0	00	96	
146	0	18	72	
145	0	07	80	
कार्ट ट्रैक	0	00	78	
125/A	0	13	56	
115	0	06	10	
कार्ट ट्रैक	0	00	35	

[सं. ओ.-12016/190/91-ओ एस जी शी-4]

एम. मार्टिन, इस्क अधिकारी

New Delhi, the 16th September, 1992

S.O. 2616.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1446 dated 6-6-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on the date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Pipeline from Dabka-6 to Dabka GGS/GCS

State : Gujarat District Vadodara Taluka Padara

Village	Block No.	Hect.	Acre	Cent.
Chitral	290	0	19	76
	289	0	10	66
Cart track	0	00	52	
	291	0	13	52
	292	0	05	46
	285	0	11	44
	277	0	12	48
	233	0	10	40
	234	0	22	10
	201	0	12	22
Cart track	0	00	52	
	228	0	03	12
	224	0	09	88
Cart track	0	00	65	
	200	0	13	26
	199	0	08	84
	202	0	08	32
Cart track	0	00	78	
	154	0	18	20
	153	0	08	45
	152	0	08	32
	151	0	00	12
Cart track	0	01	56	
	143	0	00	96
	146	0	18	72
	145	0	07	80
Cart track	0	00	78	
	125/A	0	13	56
	115	0	06	10
Cart track	0	00	35	

[No. O-12016/190/91-ONGD-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2617.—यतः पैट्रोलियम और ग्यासिन वाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50), की धारा 3 की उपधारा के अधीन भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का, आ. संख्या 1447 तारीख 6-6-92 द्वारा केन्द्रीय सरकार में उस अधिसूचना के संबंध मन्त्रसूची में विनिदिष्ट भूमियों में उपयोग के अधिकार को पाइप लाइनों को बिछाने को लिए अर्जित करने का अपना आवश्यकोंपत्र कर दिया था।

और यतः सकाम प्रधिकारी ने उक्त अधिनियम की धारा 5 की उपधारा (1) के अधीन सरकार को रिपोर्ट देती है।

और यांगे, यतः केन्द्रीय सरकार ने उक्त फ़िल्म पर विचार करने के पश्चात् इस अधिसूचना से संबंध मन्त्रसूची में विनिदिष्ट भूमियों से उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एन्ड्राय अन्तर्विधायक विनियोग करते हुए कि इस अधिसूचना में संलग्न अन्तर्विधायक विनियोग उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोगमय के लिए एन्ड्राय अर्जित किया जाता है।

और यांगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने को बजाय तेल और प्राकृतिक गैस आयोग में सभी वाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख की निश्चित होगा।

अन्तर्विधायक

कृपा नं. 6 से उद्धका जी. जी. एम./ जी. सी. एस. तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात जिला : बड़दरा तानुका : पद्रा

गांव	झाल सं.	ईंकेवर	आर सेन्टीयर	
(1)	(2)	(3)	(4)	(5)
गवासद	कार्ट ट्रैक	0	00	35
	288	0	02	60
	289	0	01	40
	290	0	00	60
	293	0	04	40
	294	0	03	00
	281	0	04	00
	280/बी	0	00	25
	274	0	05	90
	फार्ट/ट्रैक	0	00	25
	264	0	08	50
	261	0	00	58
	262	0	02	10
	260	0	03	50
	254	0	10	60
	258	0	00	80
	255	0	04	15
	फार्ट ट्रैक	0	00	60

[सं. अ. 12016/191/91-ओ.एन. जी.डी.4]

एम. मार्टिन, ईस्क अधिकारी

New Delhi, the 16th September, 1992

S.O. 2617.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1447 dated 6-6-92 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Well No. 6 to Dabka GGS/GCS

State : Gujarat District : Vadodara Taluka : Padra.

Village	Block No.	Hect.	Are	Cent.
Gawasad	Cart track	0	00	35
	288	0	02	60
	289	0	01	40
	290	0	00	60
	293	0	04	40
	294	0	03	00
	281	0	04	00
	280/B	0	00	25
	274	0	05	90
	Cart track	0	00	25
	264	0	08	50
	261	0	00	58
	262	0	02	10
	260	0	03	50
	254	0	10	60
	258	0	00	80
	255	0	04	15
	Cart track	0	00	60

[F. No. O-12016/191/91-ONGD-IV]
M. MARTIN, Desk Officer

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2617.—यतः पैट्रोलियम और ग्यासिन वाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा के अधीन भारत सरकार के पैट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का, आ. संख्या 1448 तारीख 6-9-92 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अन्तर्विधायक विनियोग भूमियों में उपयोग के अधिकार का पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आवश्यकोंपत्र कर दिया था।

और यह: सरकारी प्रधिकारी ने उक्त प्रधिनियम की धारा 6 की उपधारा (1) के प्रयोग सरकार की रिपोर्ट देती है।

और यह, यह: केन्द्रीय सरकार ने उक्त रिपोर्ट पर धिकार करने के पश्चात् इस प्रधिनियम से संतुत प्रन्तुची में विनियित भूमियों ने उपरोक्त का अधिकार प्राप्ति करने का शिनिष्ट्य किया है।

अब, यह: उक्त प्रधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा अधिनियम करती है कि इस प्रधिनियम से संतुत प्रन्तुची में विनियित उक्त भूमियों में उपरोक्त का अधिकार पाइपलाइन बिछाने के प्रयोग के लिए एतद्वारा अनिवार्य किया जाता है।

और यह: उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपरोक्त का अधिकार केन्द्रीय सरकार में निहित होने की बजाए तेज और प्राकृतिक रूप से विनियित में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इप तारीख की निहित होगा।

प्रन्तुची

आप ए ए से इस का आ. जी. एग/जी सो वेस तक पाइप लाइन बिछाने के लिए।

राज्य : गुजरात	जिला : वडादगा	तातुकार 1दगा			
गांव	इकाह नं.	हे	आर	सेन्टी/पर	
धुदवाडा	603	0	16	64	
	602	0	13	52	
	69				
	599	0	02	86	
कार्ट ट्रैक	0	02	96		
412	0	00	12		
413	0	08	32		
414	0	06	24		
463	0	18	20		
464	0	00	60		
470	0	26	26		
479	0	13	26		
480	0	02	60		
कार्ट ट्रैक	0	01	27		

[सं. आ०-12016/192/91-बी एन जी दो 4]

एम मार्टिन,
ईस्ट अधिकारी

New Delhi, the 16th September, 1992

S.O. 2618.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1448 dated 6-6-92 under sub section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule appended to this notification hereby acquired for laying the pipeline;

And, further, in exercise of the power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from Dbaa to Dabka GGS/GCS
State : Gujarat District: Vadodara Taluka : Padra

Village	Block No.	Hectare	Acre	Centi-are
Dudhawada	603	0	16	64
	602	0	13	52
	599	0	02	86
Cart track	0	02	96	
	412	0	00	12
	413	0	08	32
	414	0	06	24
	463	0	18	20
	464	0	00	60
	470	0	26	26
	479	0	13	26
	480	0	02	60
Cart track	0	01	17	

[No. O-12016/192/91-ONGD-IV]
M. MARTIN, Desk Officer.

महारी विकास मंत्रालय

नई विलासी, 7 अक्टूबर, 1992

का. आ. 2619:—यह: निम्नलिखित लोकों के बारे में दुष्ट संशोधन, जिन्हे केन्द्रीय सरकार अद्योर्ध्वंगित लोकों के बारे में दिल्ली वृहद योजना/धेत्रीय विकास योजना में प्रस्तावित करती है तथा जिसे दिल्ली विकास प्रधिनियम, 1957 (1957 का 61) की धारा 44 के प्रावधानों के प्रन्तुसार दिनांक 2-4-88 के नोटिस सं. एफ. 20 (18)/84 परी पी द्वारा प्रकाशित किये गये थे जिसमें उक्त प्रधिनियम की धारा 11-ए की उपधारा (3) में अपेक्षित आपत्तियों/मुसाव, उक्त नोटिस की सारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

और यह: उक्त नोटिस के प्रत्यक्षतर में प्राप्त हुई आपत्तियों और सुसावों पर केन्द्रीय सरकार द्वारा उचित ध्यान दिया गया।

और यह: केन्द्रीय सरकार से विलासी वृहद योजना/धेत्रीय विकास योजना में संशोधन करने का निर्णय लिया है।

यह: भव, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 11-ए की उपधारा (2) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, भारत के गजपत्र में इस प्रधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त वृहद योजना में प्रत्यक्षतर निम्नलिखित संशोधन करती है।

संशोधन:—“डिफेंस कालोरी में पड़ते वाले तथा उमर में 100' लोडी मध्ये मीन्दा मुकाबरे से घिरे और दक्षिण में 50' लोडी मध्ये तथा लोक सी के रिहायशी पलंगों से घिरे

अर्थात्: 1. (1) इन नियमों का संक्षिप्त नाम भारतीय आयुर्विज्ञान परिषद् (संशोधन) नियम, 1992 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. भारतीय आयुर्विज्ञान परिषद् नियम, 1957 में:

(1) नियम 17 में, "रजिस्ट्रीकृत" और "या अरजिस्ट्री-कृत डाक द्वारा अभिप्राप्त" शब्दों का, जहां-जहां वे आते हैं, लोप किया जाएगा।

(2) नियम 19 के पीर्षक में, "रजिस्ट्रीकृत" शब्द का लोप किया जाएगा।

[संख्या वी. 11013/1/92-एम.ई. (यूजी)]

आर. विजयकुमारी, डेस्क अधिकारी

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 29th May, 1992

S.O. 2621.—In exercise of the powers conferred by section 4 and 32 of the Indian Medical Council Act 1956 (102 of 1956), the Central Government hereby makes the following rules further to amend the Indian Medical Council Rules, 1957 namely:—

1. (1) These rules may be called the Indian Medical Council (Amendment) Rules, 1992.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Indian Medical Council Rules, 1957:—

(1) in rule 17, the words "registered" and "or received by unregistered post" wherever they occur shall be omitted.

(2) in rule 19, in the heading, the word "registered" shall be omitted.

[No. V. 11013/1/92-ME(UG)]

R. VIJAYAKUMARI, Desk Officer

The Principal Rules were published vide SRO. 1319 dated 16-4-1957.

Subsequently amended by S.O. 3229 dated 4-11-1980.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 24 अगस्त, 1992

का.आ. 2622.—चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खंड 5 के उपखंड (1) के द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इस मंत्रालय की दिनांक 28-7-92 की अधिसूचना सं. 809/2/92-एफ(सी) के अनुक्रम में, केन्द्र सरकार श्रीमती कमला कुमार, 103, 17वीं "सो" मुद्यम मार्ग, 5वां ब्लाक कोरा मंगला, बंगलौर-560034 को केन्द्रीय फिल्म प्रमाणन बोर्ड की बंगलौर सलाहकार पैनेल के सदस्य के रूप में तत्काल प्रभाव अपने आदेश होने तक नियुक्त करती है।

[फा.सं. 809/2/92-एफ (सी)]

एस. लक्ष्मी नारायणन, संयुक्त सचिव

MINISTRY OF INFORMATION & BROADCASTING

New Delhi, the 24th August, 1992

S.O. 2622.—In exercise of the powers conferred by sub-section (1) of section 5 of the Cinematograph Act, 1952 (37 of 1952), read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in continuation of this Ministry's Notification No. 809/2/92-F(C) dated 28-7-92, the Central Government is pleased to appoint Mrs. Kamala Kumar of 103, 17th "C" Main Road, 8th Block koramangala, Bangalore-560 034 as a Member of the Bangalore Advisory Panel of the Central Board of Film Certificate with immediate effect and until further orders.

[File No. 809/2/92-F(C)]
S. LAKSHMI NARAYANAN, Jt. Secy.

नई दिल्ली, 24 अगस्त, 1992

का.आ. 2623.—चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खंड 5 के उपखंड (1) के द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इस मंत्रालय के दिनांक 30-9-91 की अधिसूचना सं. 809/1/92 एफ(सी) के अनुक्रम में, केन्द्र सरकार श्री सरफराज अहमद मार्फत श्री श्रीलेश आर. गांधी, प्रभु गृह 46, हाथकेस सोसायटी, प्रथम तल, 7वीं रोड, (उत्तर दक्षिण), जे.वी.पी.डी. स्कीम, बम्बई-400056 और श्री एच.आर. मालू, मैसर्स जैन कम्पनी, नजदीक बसन्त स्टूडियो, चैम्बर, बम्बई-74 को केन्द्रीय फिल्म प्रमाणन बोर्ड की बम्बई सलाहकार पैनेल के सदस्य के रूप में तत्काल प्रभाव से अपने आदेश होने तक नियुक्त करती है।

[फा.सं. 809/1/92-एफ (सी)]
एस. लक्ष्मी नारायणन, संयुक्त सचिव

New Delhi, the 24th August, 1992

S.O. 2623.—In exercise of the powers conferred by section (1) of the section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in continuation of the Ministry's Notification No. 809/3/91-F(C), dated 30th September, 1991, the Central Government is pleased to appoint Shri Sarfraz Ahmed, C/o. Mr. Shaillish R. Gandhi, Prabhu Griha 46, Hattesh Society, 1st Floor, 7th Road, (North-South) JVPD Scheme, Bombay-400056 and Shri H. R. Maloo, M/s. Jain Co., Near Basant Studio, Chembur, Bombay-74 as Members of the Bombay Advisory Panel of the Central Board of Film Certification with immediate effect and until further orders.

[File No. 809/1/92-F. (C)]
S. LAKSHMI NARAYANAN, Jt. Secy.

नई दिल्ली, 24 अगस्त, 1992

का.आ. 2624.—चलचित्र (प्रमाणन) नियम, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खंड 5 के उपखंड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस मंत्रालय के दिनांक 24-1-92 की अधिसूचना सं. 814/11/90-एफ(सी) के अनुक्रम में केन्द्र सरकार सर्वश्री आलोक नाथ दीमित, 106, प्रथम तल, सिद्धार्थ चैम्बर, ऐडजासेट

या.जाद अर्टिस्ट, होमेट्रिक, नं. विनो-110016 और बी.एम. पैटिन, एस-179-बी, प्रथम तर, पंचाली पार्क, नई दिल्ली 110017 को केन्द्रीय फिल्म प्रमाणन बोर्ड की दिल्ली सलाहकार पैनल के सदस्य के रूप में तत्काल प्रभाव से आगे आदेश होने तक नियुक्त करती है।

[फा.सं. 814.11/90-एफ.(सी)]

एस. लक्ष्मीनारायणन, संयुक्त सचिव

New Delhi, the 24th August, 1992

S.O. 2624.—In exercise of the powers conferred by sub-section (1) of the section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in continuation of this Ministry's Notification No. 814/11/90-F(C), dated 24-1-92, the Central Government is pleased to appoint S/Shri Alok Nath Dixit, 106, 1st Floor, Siddaddh Chamber, Adjacent Azad Apartments, Hauz Khas, New Delhi-110016 and V. S. Pandit, S-179-B, 1st Floor, Panchsheel Park, New Delhi-110017 as Members of the Delhi Advisory Panel of the Central Board of Film Certification with immediate effect and until further orders.

[File No. 814/11/90-F(C)]

S. LAKSHMI NARAYAN, Jt. Secy.

नई दिल्ली, 27 अगस्त, 1992

का.प्रा. 2625.—चलचित्र (प्रमाणन) नियमावली, 1983 के नियम 7 और 8 के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37) के खंड-5 के उपखंड (1) द्वारा प्रवत्त व्यक्तियों का प्रयोग करते हुए और इस मंत्रालय के दिनांक 30-9-91 की अधिसूचना (1) सं. 809/5/91-एफ.(सी) और दिनांक 15-5-92 की अधिसूचना (11) सं. 809/9/92-एफ.सी के अनुक्रमण में केन्द्रीय सरकार निम्नलिखित व्यक्तियों को केन्द्रीय फिल्म प्रमाणन बोर्ड के मद्रास सलाहकार पैनल के सदस्य के रूप में तत्काल प्रभाव से आगे आदेश होने तक नियुक्त करती है:—

1. श्री जी. कुमार स्वामी
2. डा. नल्ली कुप्पुसामी चेट्टी
3. श्री आनन्द मोहन
4. श्रीमती अश्राकिलि
5. श्री एम.ए. सुभान
6. श्री आर. दामोदरन
7. श्री एम. कृष्णामूर्ति
8. श्रीमती देवी कृष्णन
9. डा. टी.ए.ए. लतीफ
10. श्रीमती जया अरुणाचलम
11. श्रीमती एली जार्ज
12. श्री जे.एम. हारून
13. श्रीमती बामा रमणन
14. श्रीमती लक्ष्मी अल्बर्ट
15. श्रीमती कमला अनबराम
16. श्री वी. जगदीशन
17. श्री ए. लक्ष्मणन
18. श्री षण्मुगम

19. श्री के. कृष्णकरन
20. श्री के. शिवराज
21. श्री एम. चन्द्रन नायर
22. श्री ए.वी. राज गोपाल
23. श्री ई. थंगराज
24. श्री वी. शंकर
25. मुश्तो दामगी पद्मा
26. श्री पी.एन. राजेन्द्रन
27. श्री टी. शिवपौल
28. श्री के. एम. गोपाल कृष्णन
29. श्री ए.एम. एकित वाडिवेल
30. श्री आर. दामोदरन
31. श्री कंडास्वामी चेत्तियार
32. श्री लक्ष्मी राजाराम
33. डा. बाल कृष्णन
34. श्री एन. शंकरन नायर
35. श्री बासुदेवन
36. श्री पी.टी. शिवरामन
37. श्री आर. सत्यमूर्ति
38. श्री कांसिस बस्तियन
39. डा. के० बैंकट सुब्रमण्यनम्
40. श्री वी० षण्मुगम सुन्दर
41. श्रीमती पी० वेणु कुमारी
42. श्रीमती पी० विजय लक्ष्मी

[फा.सं. 809/9/92-एफ. (सी)]

एस. लक्ष्मी नारायणन, संयुक्त सचिव

New Delhi, the 27th August, 1992

S.O. 2625.—In exercise of the powers conferred by sub-section (1) of section 5 of the Cinematograph Act, 1952 (37 of 1952) read with rules 7 and 8 of the Cinematograph (Certification) Rules, 1983 and in continuation of this Ministry's Notification (i) No. 8095/91-F(C) dated 30-9-91 and (ii) No. 809/9/92-F(C) dated 15-5-1992, the Central Government is pleased to appoint the following persons as members of the Madras advisory panel of the Central Board of Film Certification with immediate effect and until further orders :—

1. Shri G. Kumaraswamy
2. Dr. Nalli Kuppusamy Chetty
3. Shri Ananda Mohan
4. Smt. Annakili
5. Shri M. A. Subhan
6. Shri R. Dhamotharan
7. Shri S. Krishnamurthy
8. Smt. Devi Krishnan
9. Dr. T.A.A. I atif
10. Smt. Jaya Arunachalam
11. Smt. Anne George
12. Shri J. M. Haroon
13. Smt. Bama Ramanan
14. Smt. Lakshmi Albert
15. Smt. Kamala Anbarasu
16. Shri V. Jagadesan
17. Shri M. Lakshmanan
18. Shri A. S. Shanmugham
19. Shri K. Kirupakaran
20. Shri K. Sivaraj
21. Shri M. Chandran Nair
22. Shri A. V. Rajagopal
23. Shri E. Thangaraj

24. Shri V. Sankar
 25. Ms Dasri Padma
 26. Shri P. N. Rajendran
 27. Shri T. Sivapaul
 28. Shri K. S. Gopalakrishnan
 29. Shri A. S. Sakthi Vadivel
 30. Shri R. Thamodharan
 31. Shri Kandaswamy Chettiar
 32. Shri I. Ashwin Rajaram
 33. Dr Balakrishnan
 34. Shri N. Shankaran Nair
 35. Shri Vasudevan
 36. Shri P. T. Sivaraman
 37. Shri R. Sathyasurthy
 38. Shri Francis Bostyan
 39. Dr. K. Venkatesubramanian
 40. Shri V. Sanmuga Sundar
 41. Smt P. Venu Kuvempu
 42. Smt. P. Vijaya Lakshmi

[File No. 809/9/91-F(C)]
 S. LAKSHMI NARAYANAN, Jt. Secy.

रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 16 सितम्बर, 1992

का. आ. 2626.—राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (2) और (4) के अनुसरण में रेल मंत्रालय, रेलवे बोर्ड पायरडीइ स्थित भार्त निरोधक कार्यालय, पूर्व रेलवे को, जहां कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करता है।

[सं. हिंदी—92/रा.भा.-1/12/6]
 मसीहुज्जमान, मंत्रिव, रेलवे बोर्ड

MINISTRY OF RAILWAYS
 (Railway Board)

New Delhi, the 16th September, 1992

S.O. 2626.—In pursuance of sub-rules (2) and (4) of Rule 10 of the Official Language (Use for the official purpose of the Union) Rules 1976, the Ministry of Railways (Railway Board), hereby notify the Office of the Inspector of works Pathardih, Eastern Railway, where the staff have acquired the working knowledge of Hindi.

[No. Hindi-92/OL-1/12/6]
 MASIHUZZAMAN, Secy.
 Railway Board and Ex.
 Addl. Secy.

श्रम मंत्रालय

नई दिल्ली, 14 सितम्बर, 1992

का. आ. 2627.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (५) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 759 दिनांक 24 फरवरी, 1992 द्वारा बैंकिंग कम्पनी द्वारा बताया जाता है, उक्त अधिनियम के 2413 GI/92—8.

प्रयोजनों के लिए 19 मार्च, 1992 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है,

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (५) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 19 सितम्बर, 1992 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/2/5-डी-1 (ए)]
 एस. एस. पराशर, अवार सचिव

MINISTRY OF LABOUR

New Delhi, the 14th September, 1992

S.O. 2627.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 759 dated the 24th February, 1992 the Banking Industry carried on by a Banking Company as defined in clause (b) of section 2 of the said Act to be a public utility service for the purpose of the said Act, for a period of six months from the 19th March, 1992.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 19th September, 1992.

[No. S-11017/2/85-D.I(A)]
 S. S. PRASHER, Under Secy.

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2628.—केन्द्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (५) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 1005 दिनांक 27 मार्च, 1992 द्वारा भारतीय खाद्य निगम सेवा को उक्त अधिनियम के प्रयोजनों के लिए 9 अप्रैल, 1992 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है।

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 खंड (५) के उपखंड (6) के

परन्तु क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 9 अक्टूबर, 1992 से छ: गास की ओर कानावधि के लिए लोक उपयोगी सेवा विभाग करती है।

[संख्या एस—11017/5/91—पालिसी विधायी]
एम. एस. परगण, अवर सचिव

New Delhi, the 17th September, 1992

S.O. 2628.—Whereas the Central Government having been satisfied that the public interest so required had in pursuance of the provision of sub-clause (vi) of clause(n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour S.O. No. 1005 dated the 27th March, 1992, the services in the Food Corporation of India to be a public utility service for the purposes of the said Act, for a period of six months from the 9th April, 1992;

And, whereas, the Central Government is of the opinion that the public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause(n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act, for a further period of six months from the 9th October, 1992.

[No. S-11017/5/91-I.R. (PL)]
S. S. PRASHER, Under Secy.

नई दिल्ली, 15 सितम्बर, 1992

का. आ. 2629.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दलुरबैन्ड कोलयरी आफ मैसर्स ई सी लि. के प्रबन्धन के मुद्र नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9/9/93 को प्राप्त हुआ था।

[संख्या एल—22012/79/90—प्राईजार (सी-II)]
राजा लाल, डेस्क अधिकारी

New Delhi, the 15th September, 1992

S.O. 2629.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Dalurband Colliery of M/s E. C. Ltd. and their workmen, which was received by the Central Government on 9th September, 1992.

[No. L-22012/79/90-I.R. (C-II)]
RAJA LAL, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 44/90

PRESENT : Shri N. K. Saha,
Presiding Officer.

PARTIES : Employers in relation to the Management of Dalurband Colliery of M/s. E.C. Ltd.

AND

Their Workmen

APPEARANCES : For the Employers — Shri P. Banerjee, Advocate.

For the Workmen — Shri Sanjib Banerjee, Asstt. Secretary of the Union.

Industry : Coal.

State : West Bengal.

Dated, the 31st August, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/79/90-I.R. (C-II) dated the 10th October, 1990.

SCHEDULE

"Whether the action of the management in denying employment to the dependent of Late Nabel Das, Ex. UG Loader, is justified? If not, to what relief the dependent person is entitled?"

2. To-day (31-8-92) Shri Sanjib Banerjee, Asstt. Secretary of the Union submits that the workman is not interested to proceed with this case. As such the union is also not interested to proceed further.

3. In view of the circumstances I have no other alternative but to pass a no-dispute award and accordingly a no-dispute award is passed in this case.

N. K. SAHA, Presiding Officer.

नई दिल्ली, 15 सितम्बर, 1992

का. आ. 2630.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 4) की धारा 17 के अनुसरण में केन्द्रीय सरकार जयके नगर कोलयरी आफ मैसर्स ई सी लि. के प्रबन्धन के मुद्र नियंजमों और उनके कर्मलारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-92 को प्राप्त हुआ था।

[संख्या एल—19012/54/83—ई-II (बी)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 15th September, 1992

S.O. 2630.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Jav Kav Najar Colliery of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on 9th September, 1992.

[No. L-19012/54/83-D.IV (B)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 33/90

Present : Shri N. K. Saha,

Presiding Officer.

Parties: Employers in relation to the Management of Jaykaynagar Colliery of M/s. E.C. Ltd.

AND

Their Workman

APPEARANCES: For the Employers — Shri P. K. Das,
Advocate.

For the Workman — Shri Sunil Dey, Vice-President
of the Union.

Industry: Coal.

State : West Bengal.

Dated, the 31st August, 1992.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of subsection (1) or Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to the Central Govt. Industrial Tribunal, Calcutta under Ministry's Order No. L-19012(54/83-D.IV.B dated 8/16-5-1984. Subsequently the dispute has been referred to this Tribunal for adjudication vide Ministry's Order No. S-11025/192-IR (C.II) dated 27-3-92.

SCHEDULE

"Whether the action of the management of Jaykaynagar Colliery of M/s. Eastern Coalfields Ltd., Post Office Jaykaynagar, Distt. Burdwan in superannuating Shri Rakhabari Bagti, Blacksmith with effect from 1-8-1983 is justified? If not, to what relief the workman concerned is entitled?

2. The case of the union in brief is that the concerned workman Sri Rakhabari Bagti was a permanent Blacksmith of Jaykaynagar Colliery of M/s. Eastern Coalfields Ltd. He joined the service in 1951. According to the statutory 'B' Form Register he was 54 years in 1980. There was no discrepancy in the Colliery records. But in 1983 the workman was sent to a Medical Board for determination of his age and at the dictation of the management the Medical Board gave a false report. On the basis of the same the workman was superannuated w.e.f. 1-8-83 though his date of birth is 1-7-1926.

3. The union raised a dispute. But the attempts of conciliation failed. The matter was sent to the Ministry of Labour, Government of India. Ultimately the dispute has been referred to this Tribunal for adjudication.

4. The case of the Management in brief is that the concerned workman was employed as a Blacksmith. According to the 'B' Form Register and other statutory documents the workman was aged 56 years in the year 1982. During the first part of 1982 it was observed that the workman was not capable of discharging his normal duties due to this ill health. It appeared to the management that he was above 60 years and the entry in the 'B' Form Register is not correct. So the management sent the workman to the Medical Board and the Board found on 16-7-82 that the workman was aged 59 years on 16-7-82 and as such he was superannuated w.e.f. 1-8-83. There is nothing wrong in the act of the management.

5. According to the workman was aged 54 years in 1980. The management has come with the story that the age of the workman recorded in the 'B' Form Register is not correct. So he was referred to a Medical Board for determination of age when he was found incapable of doing his normal duties. I find that the management itself does not rely on the entry of the statutory 'B' Form Register. The workman could not produce any iota of evidence to prove his age or date of birth. This workman comes from a Schedule Caste Community. I find that without getting the workman examined by any Apex Medical Board the management referred the case to Age Assessment Committee. In this case the management has failed to produce the scientific data on the basis of which the Medical Board came to its finding. So it will be very risky to rely upon the decision arrived at by the Medical Board. Considering the principles of enquiry, natural justice and good conscience, I find that in a case like the present one the workman must

be referred to Apex Medical Board by the management for determination of his age.

6. In the result I find that the action of the management in superannuating the workman w.e.f. 1-8-83 is not justified. The management must refer the concerned workman Sri Rakhabari Bagti to the Apex Medical Board for determination of his age :

- (a) if the Medical Board finds that the workman was aged 60 years or more on 1-8-83, then the workman shall not get any relief and
- (b) if the Medical Board finds that the workman was aged less than 60 years on 1-8-83, then the management shall pay all the wages and other balance retirement benefits to the workman from 1-8-83 to the date when he actually attained the age of 60 years.

This is my award.

N. K. SAHA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 1992

का. आ. 2631.—ओद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार राजगंगमर कोलयरी आफ एम ईसी लि. के प्रबन्धताल के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकारण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-92 को प्राप्त हुआ था ।

[संख्या एल—22012/452/90—आईआर(सो-II)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 15th September, 1992

S.O. 2631.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Rajgamer Colliery of S.E.C. Ltd. and their workmen, which was received by the Central Government on 9-9-1992.

[No. L-22012/452/90-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(68)/1992

PARTIES :

Employers in relation to the management of Rajgamer Colliery of S.E.C. Ltd. Korba (East) P.O. Korba Colliery, District Bilaspur (MP)-495679 and the workman, Shri Gajanand Prasad Sahu, Clerk Gr. III, represented through the Branch Secretary, Rashtriya Koyal Khadan Mazdoor Sangh (INTUC), Block 15, Qr. No. G-64 (S.E.C.L., PO Korba Colliery District Bilaspur-495679.

APPEARANCES :

For workman—Shri A. R. Kurrey.

For Management—Shri A. P. Singh.

INDUSTRY : Coal Mine DISTRICT : Bilaspur (MP)

AWARD

Dated, the 26th August, 1992

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-22012/452/

90 IR. (C-II) dated 30-3-1992, for adjudication of the following dispute :—

SCHEDULE

“Whether the action of the management of Rajgamar Colliery of S.E.C. Ltd., in not granting pay protection to Shri Gajanand Pd. Sahu, Clerk Gr. III for the period 10-1-88 to 14-5-88 and also not paying the difference of wages for this period is legal and justified ? If not, to what relief the workman concerned is entitled to ?”

2. Parties did not file their respective statement of claim etc, in spite of notices. However, they have filed a Memorandum of Settlement dated 24-8-1992 duly signed and verified by the parties. The terms of Settlement are as under :—

TERMS OF SETTLEMENT

1. Sri Gajanand Pd. Sahu S/o Dallu will be paid difference of wages of Clerk Grade III for the period from 10-1-88 to 14-5-88 as per rules.
2. This is full and final settlement of the issue arising out of the case.
3. This case will not be taken precedence in any other case.
4. The above settlement will be implemented within one month.

5. I have gone through the terms of Settlement duly arrived at between the parties which appear to be just, fair and in the interest of the workman concerned. I therefore record my award in terms of Settlement and make no order as to costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 1992

का. आ. 2632.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विरपिट कोलवरी आफ मैर्स्ट है, सी. लि. के प्रबंधतन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्राप्ति करती है, जो केन्द्रीय सरकार को 9-9-92 को प्राप्त हुआ था।

[संख्या एल—22012/111/90—आईआर (सी-II)]
राजा लाल, डैस्क अधिकारी

New Delhi, the 15th September, 1992

S.O. 2632.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the industrial dispute between the employers in relation to the management of Girmint Colliery of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on 9-9-1992.

[No. L-22012/111/90-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 40/90

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Girmint Colliery of M/s. E.C. Ltd

AND

Their Workman.

APPEARANCES :

For the Employers—Sri P. Banerjee, Advocate.

For the Workman—Sri Sanjib Banerjee, Asstt. Secretary of the Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 28th August, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/111/90-IR (C-II) dated 10-9-1990.

SCHEDULE

“Whether the management of Girmint Colliery under Sripur Area of M/s. ECL in terminating the services of Shri Munshi Issai, CCM Driver, w.e.f. 1-7-1989 on the ground of superannuation on the basis of altered year of birth as 1929 from 1932 was justified ? If not, to what relief the workman is entitled ?”

2. To-day (28-8-92) Sri Sanjib Banerjee the Asstt. Secretary of the union submits that the workman is no longer interested to proceed with this case. So the union also does not like to proceed with the case.

3. In view of the circumstances I have no other alternative but to pass a no dispute award and accordingly a no dispute award is passed in this case.

N. K. SAHA, Presiding Officer

नई दिल्ली, 15 सितम्बर, 1992

का. आ. 2633.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विक्टोरिया वेस्ट कोलवरी के प्रबंधतन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्राप्ति करती है जो केन्द्रीय सरकार 9-9-92 को प्राप्त हुआ था।

[संख्या एल—24012/161 87-टी-IV (बी) आईआर (सी-II)]
राजा लाल, डैस्क अधिकारी

New Delhi, the 15th September, 1992

S.O. 2633.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol, as shown in the Annexure in

the industrial dispute between the employers in relation to the management of Victoria West Colliery and their workmen, which was received by the Central Government on 9-9-1992.

[No. L-22012/161/87-D.IV-B-IR (C-II)]
RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 54/89

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Victoria West Colliery.

AND

Their Workmen.

APPEARANCES :

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri Sanjib Banerjee, Asstt. Secretary of the Union.

INDUSTRY : Coal

STATE : West Bengal

Dated, the 28th August, 1992

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012/161/87-D.IV.B/IR (C-II) dated the 7th/18th December, 1989.

SCHEDULE

"Whether the action of the management of Victoria West Colliery, P.O. Barakar, Dist. Burdwan in not declaring Sri Jairam Koiri, UG Trammer immediately until though suffering from leprosy and denying employment to his dependant as per Clause 9.4.2 of NCWA-III, is justified ? If not, to what relief the workman concerned is entitled ?"

2. Today 28-8-92 Sri Sanjib Banerjee, the Asstt. Secretary of the union submits that the concerned workman is no longer interested to proceed with this instant case. As such the union is also not interested to proceed further.

3. In view of the circumstances I have no other alternative but to pass a no dispute award and accordingly a no dispute award is passed in this case.

N. K. SAHA, Presiding Officer

नई दिल्ली 17 सितम्बर, 1992

का. आ. 2634.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार छिनकुरी कोलवरी आफ मैसर्स ईसी लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अन्तर्बंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचायत को प्रकाशित करती है जो केन्द्रीय सरकार को 10-9-92 को प्राप्त हुआ था।

[संख्या. एस—11025/82-डी IV (बी)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2634.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Chinakuri Colliery of M/s. E.C. Ltd. and their workmen, which was received by the Central Government on 10-9-1992.

[No. L-11025/82-D.IV (B)]
RAJA LAL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 41 of 1982

PARTIES :

Employers in relation to the Management of Chinakuri 3 Pit Colliery of Eastern Coalfields Ltd.

AND

Their workmen.

PRESENT :

Mr. Justice M. N. Roy, Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. R. N. Mazumdar, Advocate with Mr. D. Mukhopadhyay, Advocate.

On behalf of Workmen—Mr. Amalendu Mitra, Bar-at-Law Mr. S. K. Bose, Advocate.

STATE : West Bengal

INDUSTRY : Coal

AWARD

Over the action of the Management of Chinakuri Colliery of Messrs Eastern Coalfields Ltd. (hereinafter referred to as the Employer), in deducting 9 days wages of 63 workmen (hereinafter referred to as the Employees), whose names are mentioned in the Annexure to the order of Reference No. L-11025/82-D.IV (B) dated October 11, 1982, a dispute was raised if the said action was justified, the present dispute was referred for adjudication with a further order, if the action was not justified, to what relief the Employees were entitled ? The case of the employees was represented by the Colliery Mazdoor Sabha (hereinafter referred to as the said Union). Admittedly, the employees were employed in Chinakuri 3 Pit Colliery.

2. It was the case of the Employer that the Reference, arose on a letter dated October 24, 1980, which was served by the Colliery Mazdoor Sabha (A.I.T.U.C.) and it was the case of the Employer that the said notice was illegal, as the same was in contravention of the provision of Industrial Disputes Act, 1947 (hereinafter referred to as the said Act). It was also contended that the said Union, had no locus standi to raise the concerned dispute in respect of the concerned Pit of the Employer, where, about 1891 workmen were employed and the said Union had no member out of those workmen. Such being the position, the Reference was claimed to be bad, void illegal and without jurisdiction and justification. It was also indicated that since the Reference itself was in respect of justifiability or otherwise of deduction of wages in respect of the Employees, so that would come within the four corners of the Payment of Wages Act, 1936, for short the 1936 Act and would not come under the said Act.

3. It was the case of the Employer that on March 15, 1980, the Employees and many others, staged a wild cat strike, without any notice and in a concerned manner, absented themselves for the whole day of March 15, 1980. In fact, they absented themselves from the points/places, where they were scheduled to work and as such, under the provisions of the said 1936 Act, deductions were made from their wages for the absence on that day.

and thereafter, they served notices on them, for deductions to be made for such absence and then served notices on them (being Ext. M-14 series, marked with objections), to show cause, why 8 days wages shall not be deducted from their wages, in terms of the proviso to Section 9(2) of the said 1936 Act, read with the Payment of Wages (Mines) Rules, 1956 and after the above acts and actions, on following the principles of natural justice, an enquiry was held and conducted, where, it was found beyond any reasonable doubt that the Employees, in a concerted manner absented themselves from work on that date without any notice and also without any reasonable cause and as such, orders were passed for deduction of 8 days wages from their earned wages by Ext. W-1 and such action was also claimed to have been taken with due justification under the provisions of the said 1936 Act and the Rules framed thereunder.

4. The Union by their written statement dated May 5, 1982, not only put forward their case, but also filed rejoinder to the statement of the Employer.

5. It was the case of the Union that on March 15, 1980, the Employees came to the Colliery for discharging their duties, even inspite of the strike called by the Unions excepting the Union in this case. It has of course been claimed that the strike as called, was due, legal, bonafide and that too, in exercise of the legitimate Trade Union Activities and on the concerned date, the Employees took the lamps to get down the pit, but one Santosh Mondal along with others stopped them and did not allow them to get down the pits and because of such intervention, the Employees failed to proceed any further. As such, some of them made representations to the Management of the concerned Pit by Ext. W-1, to afford and arrange for proper security, so that, they could perform their duties.

6. It has been indicated that the Employees waited for sometime with the expectation to get proper protection and assistance from the Employer, but, since nothing tangible was done, so, they could not discharge their duties. It has further being alleged that as nothing was done by the Employer that resulted in encouragement of threat to the Employees and they were forced to leave the Colliery, as otherwise, they would have faced dire consequence. In fact, they had to leave the place of work, as they being peace-loving employees, were not willing to have themselves entangled in any incident of assault or otherwise. But, one thing was certain that they were not in any way connected with the strike or they had any intention for supporting such strike in any manner whatsoever. It has been stated that because of the unhelpful attitude of the Employer and their failure to give due protection, the Employees could not perform their duties on March 15, 1980 and it was their belief that the Employer, to satisfy and oblige the striking workmen, took no steps in the matter and have illegally and arbitrarily, punished them.

7. It was the case of the Employees that while showing cause, they duly explained the reasons for their inability to perform the duties on March 15, 1980 and such failure, was greatly due to the failure of the Employer to provide for adequate security. In fact, for such inaction on the part of the Employer, the Employees have stated that they could not perform their duties, out of fear. It has been claimed that the action to deduct nine days wages, was arbitrary, bad, illegal, unjust and irregular, apart from being contrary to principles of natural justice and furthermore, such action was vindictive too. The statements, contrary to the above, were also categorically denied or that the Employees in this case, had either active or passive support. They, in fact, on the concerned day reported for duty, took their lamps, but could not perform their duties for reasons as indicated earlier. The dispute as referred, was claimed to be an Industrial Dispute, duly raised. It was stated that their was no illegality or any irregularity or excessive use of power in making the Reference and the preliminary objections as raised and indicated earlier, were also denied and disputed.

8. In the rejoinder of the Employer and further rejoinder by the Employees, the statements of the parties were correspondingly denied and disputed. Further reference to that rejoinder, in my view, will not be required to be

made, as all the material facts have been indicated earlier. It should be noted that there was no order indicating that the further rejoinder of the Employees was allowed to be made and considered, although there was a prayer for the same.

9. WW-1 has deposed that the Union did not call any strike on March 15, 1980. It was stated that 2 workers of West Bengal Khan Mazdoor Sangh were suspended and on such that Sangh, gave the strike call and Sanat Mondal, a local leader prevented the worker members of the Union to attend their duties with the help of outsiders. He has also stated about the help and assistance asked for from the Employer which they in their turn had not really afforded. There was grave doubt and dispute on evidence of Ext. W-1 was really and in fact handed over to the Employer or to any Officer under them. The joint petition by the Employees as mentioned earlier was marked as WW-1. He has further stated to be knowing all employees, who affixed their L.T.s in the said Exhibit W-1 and he explained, the contentions of that exhibit himself to the employers. He denied the suggestion that he did not file the said Exhibit W-1 to the Welfare Officer. It was his further evidence, on March 15, 1980, he was in the pit and the distance between the pit and the lamp room will be 22 to 23 ft. and there was no system of any pass out and none went underground in the pit after 8 A.M. It was his evidence that lamps are provided for going to the underground from 8 A.M. to 8.30 A.M. and the worker members of the Union, attended to go within the mine, collected their lamps, but they were not allowed. He has further stated that he was an audit clerk in the Colliery and all class of employees went on strike with Sanat Mondal and the member with him, would be about 70/80, which also included some outsiders. He was not in a position to say, if attendance of a large number of employees were recorded, but he claimed that such attendance may be manipulated by the Employer. WW-2 was working in 3 number pit of the Colliery and the members of the Union, he has said, to have attended their duties on March 15, 1980, when the Union did not call any strike. He stated that he went to attend his duty, but Sanat Mondal, the leader of another Union obstructed him. It was his case that on such obstruction, he went to the Manager, but he did not make any arrangement to enable the employees to work, although representations were made to him on that account. I have already indicated the effect of the evidence on this point. He is one of the persons mentioned in Exhibit W-1, which was said to have been submitted to one I. D. Singh. It was his case that the members of the Union observed a strike on the day. But, even then, the employer served show cause notice for such strike on the employees, which was replied to by Exhibit W-2. The receipt of this Exhibit was of course, denied in his cross-examination. This, witness has reported to have gone to the Pit Head on March 15, 1980, but the Employees were not allowed to enter the pit. At the relevant time, he was working as timber mazdoor and it was his case that his hazira was taken at the mouth of the Pit in a register and he was not sure, whether his hazira was entered in the Incline Register on March 15, 1980 and that, all along he worked underground by going through the incline. He has stated that he has worked both by going through the incline and also by lift. He denied the suggestion that the employees were not prevented for entering as mentioned earlier. He was not sure about the exact hour and date, when Exhibit W-1 was filed or at what place, the said application was produced, as a long time has passed. He also denied the suggestion that the said Exhibit W-1, was not given to Sri I. D. Singh.

10. The Manager, Chinakuri Pit No. 3, deposed as MW-1. He has stated about the Wild Cat strike on March 15, 1980, by the workmen under him. He has ofcourse testified that the reasons for such strike was the suspension of the two workmen as mentioned earlier. It was his case that the employees, who went on strike, demonstrated at the first shift, which starts from 8 A.M. and demonstration was made in front of his office and in his presence and amongst the demonstrators, the names of the Employees mentioned in the annexure to the Order of Reference, were there. He agreed that before going

inside the Pit, the employees are required to take lamp from cabin room, after placing individual ticket numbers, wherefrom, such lamps are drawn. He has stated that the workmen demonstrated with the cap lamp on their head and on enquiry by him, they told him that they would not work, unless the suspension orders of the two workmen were withdrawn, on which, the Employer did not agree. He has stated, to have informed the Employees that such sudden strike was illegal and he also directed the Welfare Officer I. D. Singh, to prepare an appeal, requesting the workmen, not to resort to such strike. The copy of the appeal (with objection) has been marked as M-1. It was his evidence, he has stated that pit No. 3 of the Colliery has two units, which are in-charge of two different Under Managers and the incline in at a distance of about 1000 ft. from the pit. It was his evidence that he asked the Under Managers of the units, to record the name and designation of the employees going to the place of work and such instructions were also given to cap lamp room, whose incharge was Mohan Lal Halwai. He has further stated that on looking at the demonstration, the Employer increased the number of Security Guards at the strategic points of the two Units. The Under Managers, were directed to report any obstruction, tension or agitation in the Units. He has stated, while he went round within the area, within the Pit, he did not find any agitation, obstruction, tension either in Pit No. 3 or the incline. It was his case that most of the workmen of the second and third shifts also went on strike, but about 180/190 workers went to their places of work and out of an average number of workmen of 940 to 950, they did their work. He has specifically stated that Sanat Mondal along with others, never obstructed any workmen from going to the place of work and there was no such complaint from Sanat Mondal or any other person to the Welfare Officer, about the obstruction created by them. He has ofcourse denied that WWS. 1 and 2 reported to the Welfare Officer, about the obstruction created by others. He has stated that for underground workmen, the attendance register in Form 'C' is maintained and Registers 'A' to 'F' are maintained in the official course of business, relevant pages whereof were marked as Exhibits M to M-2/11, and those of register 'B' were marked as Exhibits M-3 to M-3/7. He has stated that relevant pages of register 'C' are marked as Exts. M-4 to M-4/7 and those of register 'D', are marked as Exhibits M-5 to M-5/14. It was his evidence that relevant pages of register 'E' was marked as Exts. M-6 to M-6/5 and those of register 'F', were marked as Exts. M-7 and M-7/6. It was his evidence that the list of staff workers, who went underground for duty on the concerned date, were prepared under his signature. With reference to Form 'C' register, the said list was marked as M-8 (after objection).

11. It was his further evidence that show cause notices were given to all workmen who participated in strike and that included the Employees mentioned in the Order of Reference. The office copies of the show cause notices have been marked collectively as M-9 and it was his further evidence that those notices were also hung up in the Notice Board in his office. Exhibit M-10 is the report under the signature of A. N. Chatterjee, in respect of the above strike, and he has testified that Exhibit M-11, alongwith the explanation were sent under his signature, to the A.L.C., about the strike, which was illegal. He has further stated that the copy of the report dated August 28, 1980, which was marked as M-12, was issued under his signature, containing the Order of deduct 8 days wages from the earned wages of the workmen, who obstructed or did perform their duties on the day and he was authorised to direct such deduction of wages.

12. The Registers Exhibits W-13 and W-13/1, were claimed by the witness to have been maintained in the official course of business and they will show, the workmen, who were served with the Show Cause Notices and he has further stated that in terms of the said 1936 Act, 8 days wages were duly deducted from the workmen, from their earned wages as a penal action and wages for March 15, 1980, which was not earned by the strikers, were not paid to them, in terms of the Standing Orders. Names of the workmen concerned, on whom, such notices were served, would appear from Exhibits M-14 to M-14/27. He

He has further stated that on refusal to receive such notices by some of the workers, their notices were hung up in the Notice Board and the Standing Order has been produced as Exhibit M-16. According to the witness, Clause 17(i) (p) of that Exhibit, deals with deduction of wages. He has denied that the Union, representing the Employees in this case, did not resort to the Wild Cat Strike or that their wages were deducted, without any enquiry. He has also stated that any reply like Exhibit W-2, was not received by the Management. In cross-examination, he repeated that neither Ram Badan Singh nor the employees reported to him, about the obstruction and Ram Badan Singh, was not one of the concerned workmen, although Raju was one of them. He indicated that R. K. Banerji and J. M. Ghose were two Under Managers under him on March 15, 1980, in addition to other Managers, but, he was not certain whether J. M. Ghose was the Manager or the Under Manager on the concerned day. He ofcourse stated that he consulted the Officers at the incline mouth or Pit mouth, but, he has no knowledge what was going on in the Pit and incline, but he derived such knowledge from the Officers as mentioned above and also from I. D. Singh. He had to agree that registers, Exhibit M-13 and M-13/1 were neither under his signature nor written by him, but the Register M-15 and M-15/1 were under his signature and the writings in pages 5-6 of Exhibit M-15 were in the hand writing of Mohan Lal Halwai, whose hand writing, he knew and the registers as mentioned above, were prepared on the basis of the Attendance Register 'C' Form and notices were issued on the basis of that Register. But, he has not possibly checked the preparation of the Register and by signing the notices to deduct, he did not personally check and Attendance Register of all concerned workmen, but he did some sample checking and he relied on the basis of materials given to him by his officers. It was his evidence that the employer did not get any reply to the show cause from Raju and the letter Exhibit W-4, was addressed to him under his signature. He has said that his office was at a distance of 300 ft. from Pit No. 3 and about 1000 ft. from the incline and he was inside his office at the time of demonstration at about 8.30 A.M. on the concerned date and such demonstration continued for about half an hour. It was his evidence that he was informed by the office, as to the particulars of the workmen, who entered Pit No. 3 and incline at 8 A.M. of the first shift and after the demonstration was over, such informations were given to him and he had discussions with R. K. Banerji and J. M. Ghose, when he gave a round after demonstration. He has stated that 'C' Form Register will indicate, when the workmen went inside the Pit and the incline and when they came out and Exhibit M-5 will show that R. K. Banerji, prepared and maintained the same. According to him, from Exhibit W-5, it will appear that R. K. Banerji went inside the Pit at 8.30 A.M. and came out at 4 P.M. on March 15, 1980 and similarly, Exhibit W-6, will show, when Mr. Ghose went inside and came out on that day. He denied the suggestion that those Officers did not see him on March 15, 1980 before 4 P.M. and has stated that, he was in his office on that date upto 6 P.M. He also denied that all the workmen, whose wages have been deducted in the manner as indicated, belonged to the first shift and it was his evidence that Mr. Banerji and Mr. Ghose, reported to him about the strike by the workmen, during the second shift and stated that such reporting was not during the third shift. The reporting at the third shift were made to him by the Welfare Officer. He has stated that although Mr. Banerji and Mr. Ghose did not go inside the Pit and incline during the second shift, yet he accepted their version about joining of strike by the Employees. Since the inside of the Cap Lamp room was not visible from the office of the witness, he had to agree that he has not seen actually what happened inside the room on March 15, 1980, during the shift and he himself has not checked, whether the procedure as detailed by him regarding Cap Lamps and token rules, were followed. He denied the suggestion that demonstration was made in connection of the suspension of Sanat Mondal and has stated that such demonstration was for suspension of other persons, whose name, he cannot recollect. He has stated that it was not within his knowledge, as to which Union, the Employee belonged. He has ofcourse stated that Sanat Mondal belonged to Khan Mazdoor Sangh and he did not receive any information about the obstruction

caused to the willing workmen. He has stated that no strike Notice was given earlier. He was not certain about the number of security guards posted, but stated that there are registers to show, how many security guards were deployed on March 15, 1980. On a reference to Exhibit W-7, the witness had to agree that names of Chhoto Vishnu, Serial No. 2 and Chhoto Ganesh, Serial No. 40 of the concerned register, will indicate that they did not work on March 15, 1980. He denied the suggestion that as Manager, he had no authority to issue the deduction notice. He stated that the action in the instant case, was taken after due enquiry, but no domestic enquiry was held before the panel action was taken and the Officer, who held the enquiry, has not submitted any written report.

13. Mr. J. M. Ghose, Area Tracing Officer, MW-2, who was Deputy Manager of the concerned Pit, said that he was incharge of the incline and R. K. Banerji was incharge of the Pit No. 3 on March 15, 1980 and he was on duty from 7 A.M. to 5.30 P.M. He said that at about 9.30 A.M., MW-1 along with the Welfare Officer met him at the incline mouth and instructed him to record again the names of workmen present underground and to set the report to the Cap Lamp incharge. His office was at the incline mouth and he noticed no obstruction in the incline mouth, when the workmen were going underground. He has said to have sent the Cap Lamp report, showing the workmen, who were present at the underground on the 1st and 2nd shift. In cross-examination, he has said that he had nothing to do with the Pit, as he was incharge of the incline and was not sure, if there was obstruction at the Pit mouth. The time for return of the Cap Lamp is recorded in 'C' Form Register, Exhibit M-5 and on March 15, 1980, he returned his cap lamp at about 5 P.M. He categorically stated that he did not notice at the incline mouth, on the date of occurrence, any obstruction as alleged. The Welfare Officer, I. D. Singh deposed as MW-3. He has said about the Wild Cat strike at the instance of the Union and West Bengal Khan Mazdoor Sangh and the complaint Exhibit W-1, was not delivered to him. It was his case that he knew workmen WWs. 1 and 2 and they did not ask for any assistance and protection from him on March 15, 1980. He has also said to be knowing Sanat Mondal and he said, neither the said Sri Mondal nor his followers created any obstruction to WW-2 or any other workmen, from attending to their work. It was stated by him that there was not obstruction at the incline mouth or the mouth of the Pit and in that Pit, about 98 workmen worked in the shift. He has said to have collected from the night shift incharge, reports regarding the workmen, who worked inside the mine and to have also submitted that report to the Manager. His evidence was that on that day, he himself received the cap lamp and returned the same after duty at 5 P.M. and such time, was duly recorded in the 'C' Form Register, Exhibit M-5 and it was not the practice that on receipt of the cap lamp, one should stay at the surface of the mine.

14. From the evidence of MWs. 1 and 2, the hangs of the evidence on behalf of the Employer will be available and those evidence were duly corroborated by MW-3, I. D. Singh, the Deputy Personnel Manager, Baramundi Colliery, who was also the Welfare Officer of Chinakuri Colliery from 1975 to 1983. He has testified about the wild cat strike by the Employees, who were followers of AITUC and also by West Bengal Khan Mazdoor Sangh. It was his evidence that he did not receive the complaint Exhibit WWs. 1 and 2, who he knew, never asked for any help and assistance as stated. It was his further evidence that on March 15, 1980, Sanat Mondal or his followers did not create any obstruction and in the concerned pit, of the date of incident, about 89 people worked. He named the two suspended workers, but was not aware, if they belong to Khan Mazdoor Sangh. He has said that the employees, even after taking cap lamp, did not enter the pit and there was no demonstration either in the Pit or the incline, but the same was in front of the Manager's office. It was his evidence that WW Nos. 1 and 2 joined the wild cat strike. But, WW-1 Ram Badan Singh was not an employee of the Colliery on the date of incidence. It was his further evidence that no notice of the strike

was received and according to him, the Employees belonged to AITUC and they never approached the Manager for help and assistance as stated. MW-4 was the only Lamp abin Incharge of the Colliery. He has said that on the concerned day, the employees took cap lamps and then gave slogans, because of the suspension of the two employees as mentioned earlier. It was his evidence that exhibits No. M-2 to M-10 were written by Huru Rana, whose signatures he knew and in the remark column there, written hazards and so also the remarks in Exhibit M-3 to M-7 were also written by the said Rana. It was his evidence that he also wrote the remarks "did not work" in Exhibits M-4-4/7 in Register 'C' and so also the remarks in Exhibits M-5 to M-14, in 'D' Register. He also stated that he knew the handwritings of the markers of the other Exhibits as mentioned above. This witness has said to be knowing Sanat Mondal and Ram Badan Singh and has stated, Sanat Mondal and his associates created no obstruction to the Employees, including Ram Badan, to go inside the Pit or because of any such obstruction regard created, they could not go inside the Pit. He has said that his office is within the lamp cabin and his duties were to supervise the lamp cabin and the lamps and also to carry out instructions of the Manager. He has testified that Form 'C' Registers are kept and maintained, when lamps are drawn by the employees and so also the return of the lamps by them and on the date of occurrence, there was no incident of non drawing of lamps. He has also said that Ram Badan Singh was not a workman and according to him, N. K. Choudhury and R. K. Banerji were to the two workmen, who were suspended.

15. On the basis of the evidence as recorded, there is doubt that the Employees drew their lamps, but in the pretext that their entry inside the pit was obstructed by Sanat Mondal and his associates and out of fear, they could not enter the Pit, and they did not work. According to them, they received no help and assistance in the matter of entry into the Pit. From the evidence as recorded, there is no material to show that Sanat Mondal and his associates created any obstruction, as a result whereof, the employees could not enter the Pit, but the evidence is otherwise viz. there was no obstruction by Sanat Mondal and his associates and some employees got inside the Pit. On facts, Mr. Mazumdar appearing for the employer claimed there were no justification of the employees, for not performing their duties on March 15, 1980 and since ECL is admittedly a Public Utility concerned, so without service of any strike notice, in terms of Section 2(q) of the said Act, resorting to strike in the instant case, was absolutely illegal and since the employer is a public utility concern, the steps as taken, were due and authorised under the provision to Section 9(2) of the 1936 Act or the explanation as indicated thereunder. The explanation according to Mr. Mazumdar makes it clear that an employed person shall be deemed to be absent from the place, he required to work, if although present in such place, he refused, in pursuance of stay in strike or for any other cause, which is not visible in the circumstances, to carry out his work. It was pointed out by Mr. Mazumdar that since the lamps were drawn, there was no doubt that the employees were present at the place of their work, but did not perform their duties for the reason as indicated earlier, which again according to him, will not come under the terms "for any other cause which is not visible in the circumstances", to carry out the work, as the circumstances as indicated, do not establish that the same was not so adverse, for which the employees could not enter Pit. According to Mr. Mazumdar, it is very difficult to visualise that the employees, who belong to INTUC were willing to perform the duties although the strike was called and they were prevented by Sanat Mondal and his associates, who belonged to Khan Mazdoor Sangh. It is really difficult to follow that if a section of the employees gives a strike call and the other set of employees i.e. the Employees here, have stated to have sympathies for them, yet, they can claim or are claiming that they have no support for the same. If this is allowed or held to be allowable, then any Industry, having 4/5 unions, which is possible now-a-days, will have no work at all in a week or so and will suffer and consequently there will be fall of production.

16. Mr. Mazumdar further submitted that the scope of the Reference is not very wide and because of Section 15 of the said 1936 Act, the case clearly and squarely comes under Section 15 of the same. So, the purported/pretended Industrial Dispute, as referred, could not be adjudicated upon by this Tribunal and it should be held that because of the availability of Section 15 of the said 1936 Act this reference was not maintainable and the provisions of said 1963 Act are only applicable. It was pointed out by Mr. Mazumdar that applicability of said 1936 Act which was specifically mentioned, not only in the evidence, but also in the pleadings of the Employer, have not been denied categorically or otherwise by the Employees. It was further submitted by him that Standing Orders, Ext. M-16, specifically make provisions for disciplinary action for misconduct under Clause 7 and sub-Clause (p) thereunder, which states that leaving work without permission or sufficient reason, is a misconduct and so, there cannot be any doubt or dispute that in the facts and circumstances of this case, the Employees had misconducted, which fact again has been established by evidence on behalf of the Employer and there is nothing to disbelieve such evidence or any evidence, whereby the act of misconduct has been proved. Mr. Mazumdar also pointed out that under Section 3 of the said 1936 Act, the Employer was responsible for the payment to persons as employed, of all wages, as required to be paid under the Act and the proviso thereunder, make certain exception and the Employees in this case, do not come under such exceptions and as such, it cannot be said that the Employer was not authorised to make the deduction, as made. He, then pointed out that MW-4 has proved the entries along with handwriting in the concerned Register and there was no evidence to disbelieve or not to place reliance on such evidence.

17. Before taking up the submission of Mr. Mitra, it must be noted that on instructions, he specifically submitted that the Union which was affiliated to INTUC and the employees, who are the members of the Union, were willing to work, inspite of the strike resorted to by the other Union. It should also be noted that service of notice of strike was not duly and legally proved in this case.

18. Mr. Mitra submitted that the proviso to Section 9(2) of the said 1936 Act or the explanation as indicated, will not apply in this case, as, there was obstruction or a concerted action by a section of employees, leaded by Sanat Mondal, in not allowing the Employees to perform their work and such fact, will alone take this case out of the mischief of the term "reasonable cause or for any reason whatsoever" as mentioned in the explanation to the proviso of Section 9(2). In fact he submitted that the Employer in this case, resorted to a short circuit method in the matter of imposing the action, which was panel and in fact, there is no such allegation of the involvement of INTUC. In this case and to establish that fact, he referred to Ext. M-11, a letter to the ALC (C), Asonsol, by the Manager Chinakuri Mine No. 3. He also, on pointing to Ext. M-9 series, indicated that there were also no materials of the strike by or at the instance of INTUC and there was no charge of any concerted action levelled. According to Mr. Mitra, since there was some or any obstruction, that would come within the meaning and scope of "reasonable cause" and this will appear from Ext. M-1 and on a construction of the pleadings of the parties, before this Tribunal.

19. It was Mr. Mitra's submissions that the entire action of the Employer is strenuous with malafide, because they have deducted wages for 9 days, but have mentioned that one day's wages is deducted for Employees for not working on March 15, 1980 and thereafter. they have deducted 8 days wages, only to bring their action within the purview of Section 9 of the said 1936 Act and the whole question is, if such deduction is allowable and permissible? Since the total effect of the deduction was for 9 days, so Mr. Mitra contended that on the basis of the explanation as given by the Employer, there is no other way out, but to hold that the action as sought to be taken under the said 1936 Act,

was not a bona fide one and the explanation as given by the Employer, was nothing but a camouflage, to cover their misdeeds. It was further stated by him that the action as taken, was against principles of natural justice, as no reply was given to the employees or any opportunity to them against the show cause, but actions were taken under the purported authority of the said 1936 Act.

20. Section 3 of the said Act of 1936 postulates the responsibility of the Employer to make payment of wages to persons employed under them, section 7 speaks of permissible deductions from wages and under section 7(2)(b), such deductions can be made for absence from duty and section 9 deals with such deductions from duty and for our purpose, the provisions of section 9(2), the proviso and explanation thereunder or the effect thereof, will have to be considered. Mr. Mitra submitted that the words "subject to any rule made in this behalf" has been considered and construed in the case of the Division Bench determinations of the Andhra Pradesh High Court in the case of D. Baliah and Ors vs. Secretary, Indian Detonators Ltd., 1976 (II) LJ 247 and where, it has been observed that deductions in wages being penal in nature, principles of natural justice, requires notice to be given and here, the entire action should thus be deemed to be penal and as such, against principles of natural justice and thus void and bad, as no such notice was admittedly given to the Employees. Such submissions of Mr. Mitra were really against the records and do not get support from the evidence as received. In fact, the determination in the case as cited at the Bar, cannot be applied in the facts of this case. There was and in fact there is no dearth of evidence for want of notice or opportunity and following of the principles of natural justice.

21. In view of the above, this Reference cannot be answered in the affirmative and in favour of the Employees and as such, the same is rejected.

This is my Award.

Dated : 12-8-1992

MANASH NATH ROY, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2635—जीष्ठोगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार एफसी आई के प्रबन्धतात्त्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औष्ठोगिक विवाद में केन्द्रीय सरकार औष्ठोगिक प्रबिकरण, कानपुर के पांचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-92 को प्राप्त हुआ था।

[मंज्या एल—42011/52/86 ई-II (बी)]

राजा लाल, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th September, 1992

S.O. 2635.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workmen, which was received by the Central Government on 9th September, 1992

[No. L-42011/52/86-D.II(B)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 157 of 1987

In the matter of dispute between :

The President,
Bhartiya Khadya Nigam (FCI),
Mazdoor Sangh, 1, Abdul Aziz Road,
Lucknow.

AND

The District Manager,
Food Corporation of India,
29-B. N. Road, Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-42011/52/86-D.II(B) dated 20th October, 1987 has referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Food Corporation of India in laying off the workmen of F.C.I. Dal Mill, Lucknow and subsequently closing down the Mill at Lucknow w.c.f. 26th May, 1986, is legal & justified ? If not, to what relief the 71 workers of the mill are entitled to and from what date ?”

2. In this case 2nd June, 1992 was the date for the cross-examination of the workman. On that date the authorised representative for the Union sought time to file affidavit on behalf of Bhartiya Khadya Nigam Mazdoor Sangh which was allowed and 31st July, 1992 was fixed for filing of the affidavit in the case.

3. On 31st July, 1992 none appeared from the side of the Union nor affidavit was filed in the case. It therefore, appears that the Union is not interested in prosecuting the case.

4. Therefore, in view of the above, a no claim award is passed against the Union.

5. Reference is answered accordingly.

Sd/-

ARJAN DEV, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2636 :—शैक्षणिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ईंड एम वर्कर्सोप एस ईं सी एल के प्रबन्धतांत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में

निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-92 को प्राप्त हुआ था।

[सं. एल-22012/458/90-आईआर (सी-II)]

राजा लाल, डैस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2636.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of E&M Workshop S.E.C. Ltd. and their workmen, which was received by the Central Government on 9-9-92.

[No. L-22012/458/90-IR(CII)]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT JABALPUR (M.P.)

CASE NO. CGIT/LC(R)(99)/1991

PARTIES :

Employers in relation to the management of E&M Workshop, S.E.C. Ltd. Korba, District Bilaspur (MP) and their workman, Shri Gadeli Singh, Turner, sponsored and represented through the Association (B.M.S.) Shahid Mangal Singh Colony, SECL, Korba, District Bilaspur (MP)-495 679.

APPEARANCES :

For Workman.—None.

For Management.—Shri R. Menon, Advocate.

INDUSTRY : Coal Mine DISTRICT : Bilaspur (MP)

AWARD

Dated, August 18, 1992

This is a reference made by the Central Government Ministry of Labour, vide its Notification No. L-22012/458/90-IR(Coal-II) dated 29-4-1991, for adjudication of the following dispute :—

“Whether the management of Central E & M Workshop, SECL, Korba, Bilaspur, justified in ignoring the claim of Shri Gadeli Singh, Turner for proposed promotion to the post of Foreman in Mech. Maintenance Section ? If not, to what relief the workman concerned is entitled to ?”

1. Neither party filed any statement of claim in the case in spite of several opportunities given to them.

2. Workman on whose behalf the dispute was sponsored took no interest in the case. Now he has put appearances on 11-7-1991, 14-10-1991, 17-3-1992, 7-7-1992 and 5-8-1992.

3. Under the above circumstances it appears that the workman has no interest in the case. I therefore record a No Dispute Award in the case under reference. No costs.

V. N. SHUKLA, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का.आ. 2637—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार और एन. जी. सी. देहरादून के प्रबंधतान्त्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अन्वयंव में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानून के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[संख्या एल-30012/1/89-ग्राई आर (मिस.)]

बी. एम. डैविड, डैस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2637.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC, Dehradun and their workmen, which was received by the Central Government on the 16-8-92.

[No. L-30012/1/89-IR(Misc.)
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 98 of 1989

In the matter of dispute between :

Sri Prem Nath, Joint Secretary, ONGC Karamchari
Union 87-1, Bullupur Dehradun.

AND

The General Manager (3 BG) Oil & Natural Gas Commission Tel Bhawan Dehradun.

AWARD

1. The Central Government, Ministry of Labour, vide its notification number L-30012/1/89-IR(Misc.) dt. 28th April, 1989, has referred the following dispute for adjudication to this Tribunal :—

"Whether the demand of the ONGC Karamchari Union Dehradun on the management of ONGC Dehradun for reinstatement of Sri Rajan Kumar s/o Sr. Mohan Singh Ex-labourer w.e.f. July, 1985 is justified ? If so, what relief is the workman entitled to ?"

The industrial dispute on behalf of the workman Sri Rajan Kumar has been raised by ONGC Karamchari Union (hereinafter referred to as Union), Dehradun.

3. The case of the Union in short is that the workman was employed as a labourer in September 1982 and he had worked in the Tech. Business Group Department (hereinafter referred to as (TBG) 'Tel Bhawan, ONGC, Dehradun' as a sweeper-cum-cleaner upto 11-7-85 continuously whereafter his services were terminated without complying with the provisions of section 25F, I.D. Act, 1947. The Union alleges that there was no middle man in between the workman and the management/employer. The Union further alleges that the workman never worked under a contractor nor he himself was a contractor during the said period. He was a contingent employee of ONGC Dehradun. The work on which he had been working had not finished. Rather persons junior to him and new hands are still working. The Union has, therefore, prayed for the reinstatement of the workman with continuity of service and full back wages. The Union has further

prayed that the service of the workman be regularised in the ONGC, Dehradun.

4. The case is contested by the management of ONGC Dehradun. The management plead that whatever has been referred by the Central Government to this Tribunal is only a demand and not an industrial dispute within the meaning of section 2(k) of the I.D. Act. As such the present reference order cannot be adjudicated upon by this Tribunal. The management further plead that Sri Rajan Kumar was never subjected to selection for regular employment of any post in accordance with section 6(5) of the Recruitment and Promotion Regulation, 1980. In fact he was awarded a job contract w.e.f. August 1984 for development, maintenance and proper up keep of the Garden and Open Space around the office under the Department of Material Management and for doing any other job assigned to him by the Joint Director (P&A) of the said Department. The aforesaid job contract continued from time to time upto April 1985. It was never renewed after April 1985. As such Sri Rajan Kumar is not a workman under section 2(s), I.D. Act, 1947. In the alternative the management plead that even if Sri Rajan Kumar is taken as a workman, as a result of non-renewal of contract after April 1985, his case falls within the exception given in clause (bb) of sec. 2(oo) of I.D. Act, 1947. Thus by no stretch of imagination it can be said that in his case the provisions of section 25F I. D. Act, 1947, are attracted. Listly, it is pleaded by the management that it is wrong to say that Sri Rajan Kumar is unemployed. In fact he is engaged in more gainful occupation. Even otherwise he has a duty to mitigate the loss which he might have suffered for any reason. In the circumstances, the workman is entitled to no relief.

5. In support of their respective cases both sides have led oral as well as documentary evidence whereas, the Union has examined the workman, the management have examined Sri N. D. Gaur, Sr. Deputy Director ONGC, Tel Bhawan Dehradun.

6. Let us first consider the legal plea raised by the management that whatever has been referred to by the Central Government is only a demand made by the Union on the ONGC Dehradun and not an industrial dispute within the meaning of section 2(k) of the I. D. Act, 1947.

7. In this plea of the management I find no force. The management seems to have gone on the literary meaning of the word "DEMAND" appearing in the reference order. It is well known fact that when a demand is made by one party to the other and the other party does not concede the demand, it becomes a dispute between the parties. Similarly in the instant case as well as the non meeting of demand raised by the Union with the management would amount to an industrial dispute between the parties. So I do not agree with the contention of the management that whatever has been referred to by the Central Government to the Tribunal is not an industrial dispute but simply a demand.

8. Admittedly, the workman had worked in TBG. However, the parties differ on two main points—

(1) The capacity in which Sri Rajan Kumar had worked, and

(2) The period of his working.

Whereas the case of the Union is that Sri Rajan Kumar had worked as sweeper cum cleaner in the capacity of a contingent employee from September, 1982 to 11th July 1985, the case of the management is that he had simply worked as a contractor from August 1984 to April 1985.

9. Ext. M-2 to M-9 are the photostat copies of cash payment vouchers of the period August 1984 to October 1984 and December, 1984 to April 1985. By means of these vouchers Sri Rajan Kumar as a contractor was paid Rs. 756, Rs. 462, Rs. 703.50 paise, Rs. 1249.50 paise, Rs. 1113, Rs. 724.50, Rs. 1220.60 paise and Rs. 1795 respectively. In his cross examination Sri Rajan Kumar has admitted his signature on these vouchers. They were filed by the management with their list of documents dt. 29-12-89 on 12-4-90.

10. On 12-4-90, the management filed with their list of documents dt. 19-8-89 some more documents. Some of which have either admitted or their formal proof waived by Sri O. P. Mathur, the authorised representative for the Union. All these documents have been proved by the man-

agement witness. In them Sri Rajan Kumar has been described as a Contractor. It appears from these documents that the job had been executed by Sri Rajan Kumar with others as will be clear from the following chart—

Sl. No.	Name	1984					1985				
		Aug	Sept	Oct	Nov	Dec	Jan	Feb	March	April	
1. Mohan		24		14	23	25	25	23	26	23	23
2. Rajan Kumar		24	22	22	23	24	25	23	23	23	24
3. Rakesh		14									
4. Ved Prakash		10	22	18	20						
5. Maheshwar Pd.				13		24					
6. Mahesh Dutt					23						
7. Pushkar						16	25	23			20
8. Suresh									19		
9. Sitaram											23

In these documents the same payment as have been shown in vouchers Ext. M-2 to M-9 are given. For the month of November 1984 in these documents it is shown that Sri Rajan Kumar was paid Rs. 913.50 paisa as contractor. Not only the claim statement but in his affidavit Shri Rajan Kumar has deposed that he was not a contractor.

11. After considering the circumstances of the case I find the case set up by the Union as more reliable than that set up by the management. It has come in the evidence that the management has not requested itself for employment of contract labour under section 7 of the Contract Labour (Regulation & Abolition) Act, 1970 nor Sri Rajan Kumar had any licence under the Act. Section 12 of the said Act lays down that no contractor shall undertake or execute any work through contract labour without a licence. In his cross examination the management witness had deposed that he has no knowledge of the fact whether or not ONGC Dehradun is registered under the said Act. He also does not know whether Sri Rajan Kumar had a licence under the said Act during the relevant period. From the list of persons attached with the documents filed on 14-2-90 referred to above it is clear that the job was executed by more than one person including Sri Rajan Kumar. If the contract had been given to Sri Rajan Kumar, I fail to understand the need for naming other persons and giving the number of days put in by them in the job. In his cross examination Sri Rajan Kumar has deposed after admitting the signatures on the cash payment voucher Ext. M-2 to Ext. M-9 that he was paid wages of his share only. In other words when he was paid wages for the number of days shown in the list attached with the documents against his name.

12. In this connection it is useful to refer to the order dt. 11-10-90 passed by the Hon'ble High Court of Allahabad in Civil Misc. Writ Petition No. 23588 of 1987 Sri Bhagat Singh and 18 others versus ONGC and another. Sri Mohan Singh whose name appears in the above chart has been named at serial no. 13 in the array of the parties in the said writ petition. The writ petition was allowed and it was declared that all the petitioners of the writ would continue as daily wage/contingent labour of ONGC, Dehradun and they would not be dealt with as contract labour until they are retrenched in accordance with the procedure established by law. For determination of the relief as of Equal Pay for Equal Work claimed by the petitioner, the Hon'ble High Court referred it to the Labour Commissioner for its determination. I may state here that in his cross examination, the management witness has admitted that Sri Mohan Singh alongwith others had filed a writ petition in the Hon'ble High Court of Allahabad and that in the said writ all of them have been held a daily wage/contingent labourer by the Hon'ble High Court. In the writ petition the case set up by the petitioners was that they have been working for the past several years on class IV post in TBG but are being paid as daily wage employees. Further their case was that the ONGC singles out a person from amongst the petitioners and treats him to be labour of contractor for engaging casual contract labour for performance of the function mentioned in the contract for specified period on a total amount mentioned in the contract. The total period of the alleged contract is worked out at the rate of daily wage per employee per man day. In fact they are not contract labourers but are casual/contingent employees on daily wages. The

writ petition was contested by the management of ONGC Dehradun.

13. After considering the facts and circumstances and the provisions of Contract Labour (Regulation and Abolition) Act, 1970, the Hon'ble High Court held—

1. After going through the case law and the provisions of the Act of 1970 it is abundantly clear that the petitioners are not contract labourers because neither the employer has a registration certificate nor their engagement was by the licensed contractor. In order to treat the petitioners as contract labourers two important conditions must exist. In the first place it was necessary for the respondents to prove that their establishment had secured a certificate of registration for the relevant period and in the second place it had employed contract labour through a licensed contractor. Neither of these conditions exists in the present case.
2. I am in respectful agreement with the observations of the Punjab & Haryana High Court in 1988 Labour & Industrial Cases 730 (Supra) and hold that the petitioners are to be treated as workers of the company on daily wage basis.
3. In the light of the aforesaid discussion and judging the case of the petitioners in the context of the provisions of the Act of 1970 and the authorities cited at the bar it necessarily follows that the petitioners are daily wage/contingent labour of the respondent company and their services cannot be discontinued on the ground that they are engaged by petitioner no. 18, who in violation of the Act of 1970 styled as contractor, and they cannot be replaced by contract labour nor can their services be discontinued in violation of law.

The case of Sri Rajan Kumar is similar to the case of the 19 petitioners in the above referred civil Misc. Writ Petition. I therefore, do not believe the management's case that he was a contractor. I hold that he was a daily wage/contingent employee of the ONGC.

14. For the alleged violation of section 25-F of the I. D. Act, what has to be seen is whether during the period of 12 months preceding the date of his alleged termination Sri Rajan Kumar had worked for 240 days or not. It is the specific case of the Union that as had worked from Sept. 1982 to 11-7-85. In their written statement the management have simply referred to the period from August, 1984 to April 1985. Whether or not he had worked as a casual labour or as contractor prior to August, 1984 has not been specifically stated in the written statement by the management. Looking to the date of termination given in the reference order the period with which the Tribunal is concerned will be 12-7-84 to 11-7-85.

15. From the chart given above it is clear that from August 1984 to April 1985 Sri Rajan Kumar had worked for 210 days. In his affidavit Sri Rajan Kumar has supported/corroborated the case set up by the Union with regard to his working. There has been no cross examination of Sri Rajan Kumar on this point by Sri V. K. Gupta, the authorised representative for the management.

16. It appears to me from the circumstances of the case that the management deliberately avoids to file documents of the period subsequent to April, 1983. We have seen that the documents filed with list dt. 19-8-89 on 12-4-90 by the management, list of person who had performed the job is attached with every bill. The Union by means of its application dt. 31-5-91 summoned from the management some of the documents. On 2-7-90 the management filed some three documents. These are photostat copies of bills of May and June 1985 but without the list of persons who had done the job. In them Mohan Singh whose name appears in the many of the list of persons filed with the bills submitted by Sri Rajan Kumar as Contractor who is said to have not done the job from 5 casual persons including himself. Thereafter the Union by means of its application dt. 21-5-91, summoned from the management the list of persons who had actually done the job during the months of May and June 1985 submitted by Sri Mohan Singh Contractor. The management witness during his cross-examination has denied that such list of persons in respect of the job done during the months of May and June 1985 have been withheld deliberately by the management. I am not prepared to believe him. The procedure which was followed till April 1985 would not have stopped thereafter. I therefore believe the testimony of Sri Rajan Kumar that he has also noted even after April 1985 till 11th July, 1985.

17. It is the case of the management that while retrenching the workman Sri Rajan Kumar the conditions laid down in sec. 25F I. D. Act were fulfilled. Hence it is held that the action of the management in terminating the services of Sri Rajan Kumar workman was illegal. It was void-ab initio. Consequently he would be held as entitled to his reinstatement with full back wages.

18. In the instant case, full back wages cannot be awarded to the workman because he filed the petition before the ALC(C) Dehradun on 22-8-88, i.e. almost after 3 years. I can presume that in the beginning for some time he must have approached the management of ONGC for reconsideration of their action. So far the period upto 31-8-88, I award him back wages only to the extent of 25%.

19. Hence, it is held that the action of the management of ONGC Dehradun in terminating the services of Sri Rajan Kumar w.e.f. 12-7-1985, as unjustified, illegal and void-ab initio. Consequently he is held entitled to his reinstatement with full back wages w.e.f. 1-9-88, and of the period prior to if he will get only 25 per cent only of the full back wages.

20. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2638.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गुआ और माईन आफ मैसर्ज आईसीको लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार अधिकार नं. 1 धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[संख्या एल - 26011/1/91 - आई आर (मिस.)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2638.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. I Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Gua Ore Mine of M/s. IISCO Ltd. and their workmen, which was received by the Central Government on the 16-9-92.

[No. I-26011/1/91-IR (Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 140 of 1991

PARTIES :

Employers in relation to the management of Gua Ore Mine of M/s. Indian Iron & Steel Co. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

Appearances :

For the Employers.—None.

For the Workmen.—None.

STATE : Bihar

INDUSTRY : Coal

Dated, the 7th September, 1992

AWARD

By Order No. L-26011/1/91-IR. (Misc.), dated, the 4th December, 1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the payment of wages as per Bipartite Settlement of 1984 to permanent workers Rs. 77.03 per day and Rs. 32.00 for Casual Workers for same and similar nature of work is justified ? If not, to what relief the workmen are entitled to and from what date?"

2. The order of reference was received in the office of the Tribunal on 13-12-1991. Since then several notices were issued to the General Secretary, United Mineral Mazdoor Sangh (AITUC), P. O. Chakradharpur, Dist. Singhbhum, to file written statement on behalf of the concerned workmen. But neither the sponsoring union nor the concerned workmen appeared to take any step in the matter. In the circumstances, I am constrained to believe that neither the sponsoring union nor the concerned workmen is interested in pursuing the case.

3. Accordingly, I pass 'no dispute' award in this case. In the circumstances of the case, I award no cost.

This is my award.

S. K. MITRA. Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 18 के अनुसरण में, केन्द्रीय सरकार चतुराम होरिलगाम प्रा. लि. पो. अ. जुमरी तलैया (हजारी बाग) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकार धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-92 को प्राप्त हुआ था।

[संख्या एल - 28012/2/86 - डी III (बी)]

बी. एम. डेविड, डैस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2639.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Chatturam Horilram Pvt. Ltd., P.O. Jhumratalayia (Hazaribagh) and their workmen, which was received by the Central Government on 14-9-1992.

[No. L-28012/2/86-D.III (B)]
B.M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

Reference No. 49 of 1987

PARTIES :

Employers in relation to the management of Chatturam Horilram (Pvt.) Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—Shri J. D. Lall, Advocate.
On behalf of the employers—None.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the August, 1992

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-28012/2/86-D.III (B) dated, the 6th January, 1987.

SCHEDULE

"Whether the action of the management of M/s. Chatturam Horilram (Private) Limited, P.O. Jhumratalayia Distt. Hazaribagh by terminating the services of Shri Rajendra Prasad, Clerk without complying with the provisions of I. D. Act is legal or justified ? If not, to what relief is the concerned workman entitled ?"

2. The present reference is pending since long. The parties appeared and filed their respective W.S. and day to day hearing began. Lastly the management stopped coming. From the record I find that the last appearance of the management was on 31-1-90 and since then no step was ever taken and ultimately the Court was not left with any option but to proceed ex parte.

3. Shri Rajendra Prasad the concerned workman was an employee working as clerk since 1955 in the management of M/s. Chatturam Horilram Private Ltd. While working at Rama Sugwa Mica Mines he got heart attack on 2-4-85 and so shifted to P.M.C.H. by his colleague where he remained indoor patient till 6-5-86. It was stated that he got some senses on 23-4-85 and he filed an application for leave to the management on the medical ground till his recovery. He had to remain under treatment till 5-11-85 and lastly he reported for duty on 11-11-85 but he was refused to join his duty by the management.

4. The matter was raised as industrial dispute by Mica Labour Union to the ALC(C) Hazaribagh (Central) which ended in failure because the management did not care to appear and accordingly the case was referred to the Central Government giving rise to the present reference. It has been prayed that the workman be allowed to join his duty with full back wages.

5. The management stated that Shri Rajendra Prasad Clerk was never stopped rather he left the job suo moto. He was employed in the company as clerk and was deputed at Koderma Magazine which is a most responsible post under the explosive Act. Shri Prasad left the duty without any information and handing over charge to anybody on 3-4-85 which shows his negligence and irresponsible activities as per Standing Orders. Admittedly, Shri Prasad had filed an application for leave on 23-4-85 which was received very late in the office of the management. The management had asked him to produce supporting evidence but the workman failed. It was stated that on 25-6-85 Shri Prasad sent a medical certificate issued by P.M.C.H. in which doctor had advised for one month rest. The management after expiry of one month issued notice to Shri Prasad to join his duty within a period of one week but he neither joined nor cared to reply the same. Again the management issued a notice on 31-8-85 stating that if Shri Prasad did not join his duty within one week from the date of the issue of this letter it will be presumed that he is not interested to join his duty. The management stated that Shri Prasad did not join his duty and ultimately his services were interrupted on record. It has been stated thus the management never violated the provision of I. D. Act and the concerned workman is not entitled for any relief.

6. Shri Rajendra Prasad has been examined himself as WW-1 whose evidence was recorded ex parte. He got heart attack on 2-4-85 and he had to be referred to P.M.C.H. for treatment. Ext. W-4 is the discharge slip showing that Shri Prasad was admitted in intensive care unit for treatment of his heart on 3-4-85. He was discharged on 6-5-85. He was advised one month's rest and also to attend cardiology outdoor. The witness stated that his outdoor treatment continued till 5-1-85 and he has filed the photo copy of certain medical prescriptions which are Exts. W-3 series. The witness has stated that he had sent a letter on 23-4-85 expressing his inability to join on account of his illness. In the W.S. the workman has stated that he had applied for leave on 23-4-85 till his recovery. I think the application was not in order. The management is not supposed to grant casual leave or earned leave or any other leave for an indefinite period. It was demanded on the part of the workman to seek for certain period of leave. However, from his evidence and the documents it is clear that he had heart trouble and he had been directed to attend cardiology outdoor even after his discharge from the hospital. The witness stated that he reported for duty on 11-11-85 but he was told that his services have been terminated. I find that the management had also sent a letter dated 16-9-85 asking the concerned workman to join his duty within a week's time failing which it will be presumed that he was not willing to join. He was further directed to receive all his dues. The letter was received by the workman on 6-11-85. As stated by him, he had reported for duty on 11-11-85. Since this letter was received very late otherwise the concerned workman would have taken care to report for duty immediately after the issuance of letter dated 16-9-85.

7. I have taken into consideration all these facts and it is true that the concerned workman was suffering from heart ailment. It seems that he could not attend his duty only because he did not get the letter of the management in time and also for the reasons that he had been directed to attend cardiology outdoor. For the reasons stated above I feel that the concerned workman was helpless and he was stopped from joining his duties earlier on account of forced circumstances. Definitely it was a fault on the part of the workman that he had filed an application for leave not for certain period but for the period till his recovery which was very vague and indefinite. For the reasons

stated above I feel that the claim of the concerned workman is genuine which must be allowed. The management is thus directed to reinstate the concerned workman at his original job with 50 per cent back wages within a month from the date of the publication of the Award.

This is my Award.

B. RAM, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2640 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स सी. सी. एल. की पिपराडीह कोलियरी के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-9-92 को प्राप्त हुआ था।

[सं. एल-24012/116/86 डी-4 (दी) आई आर कोलन (I)]
वी. के. वेणुगोपालन, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th September, 1992

S.O. 2640.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Mgt. of Pipradih Colliery of M/s. C.C.L. and their workmen, which was received by the Central Government on the 14-9-92.

[No. L-24012/116/86-DIV(B)/IR(C.I)]
V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Ram, Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE NO. 83 OF 1987

PARTIES :

Employers in relation to the management of Pipradih Colliery of M/s. Central Coalfields Limited and their workmen.

APPEARANCES :

On behalf of the workmen : Shri J. P. Singh, Advocate.

On behalf of the employers : Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated. Dhanbad, the 31st August, 1992

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012/116/86-D. IV(B) dated, the 16th February, 1987.

"Whether the action of the Management of Pipradih Colliery of C.C. L/a. P.O. Gomia, Dist. Hazaribagh in declaring the age of the workman as 57 years as on 12-2-1985 on the basis of the age assessed by the Medical Committee particularly when there is no variation in age in the C.M.P.F.

record and the Form 'B' Register to be maintained under the Mines Act is legal and justified ? If not, to what relief the workman concerned is entitled ?"

2. Shri B. N. Thakur is admittedly a Peon of Pipradih Colliery who was superannuated with effect from 12-2-88. The concerned workman has challenged his date of superannuation and according to him his date of birth was 15-12-1938 and he was appointed on 1-1-58 during the period of private ownership of the colliery. The name of the concerned workman as stated by him was entered in the Form B Register maintained under Section 48 of the Mines Act, 1952 and all the particulars including the date of birth where entered in the register after proper verification. The concerned workman further alleged that he qualified himself to be a member of C.M.P.F. after completion of the statutory period of continuous service and declaration in Form A was submitted to the CMPF Commissioner, declaring his date of birth as 15-12-1938. It was further stated that the Supdt. of Mine Pipradih colliery granted a certificate in the year 1981 declaring, his date of birth as 15-12-1938.

3. The concerned workman met an accident in course of and arising out of employment and his leg was fractured. He claimed for compensation under the workman Compensation Act and accordingly the management advised him to appear before the medical board for determination of percentage of loss of earning capacity for assessment of the compensation payable to him. In compliance thereof the concerned workman appeared before the Medical Officer as directed. But there was nothing like medical board and the doctor simply measured his blood pressure. He was not medically examined nor X-rayed. Subsequently the concerned workman could learn that the doctor assessed his age to be 57 years as per his appearance on 12-2-85 and on the basis of that assessment he was superannuated on 12-2-88. The concerned workman submitted from assessment of his age by the doctor was uncalled for and his superannuation with effect from 12-2-88 was unwarranted and without jurisdiction. He has accordingly prayed that the award be passed holding that the concerned workman is still in employment till completion of his age of 60 years on the basis of his date of birth as 15-12-38.

4. The management has denied the claim of the concerned workman in toto. Admittedly, he was appointed on 1-1-58 in Pipradih colliery by the erstwhile employer and the company. It was stated that the said colliery was nationalised under the Coking Coal Mines (Nationalisation) Act, 1972 with effect from 1-5-72 and after nationalisation it was entrusted with BCCl by the Central Govt. But in the month of August, 1972 its ownership was transferred to NCDC which was already existing and operating at Central Public Sector undertaking. The said NCDC was renamed as CCL with effect from 1-11-75.

5. It was stated that after take over of the colliery by NCDC service sheets of the concerned workman was prepared in which all the necessary entries including the date of birth were recorded. The concerned workman after having understood the entries to be correct had put his LTI signature on 14-3-1973.

6. The concerned workman after several years raised the issue that his date of birth was not correctly recorded in service sheet. The management checked the position from CMPF office. While calculating such information the clerk concerned recorded that the age of the concerned workman was 32 years on the date of his appointment i.e. on 1-1-58 and his C.M.P.F. account was D/476201. However a subsequent enquiry revealed that actually no Form A was maintained of the concerned workman and the clerk concerned had committed mischief. It was also transpired that CMPF account No. of the concerned workman was C/316237.

7. The issue relating to the date of birth/age of the concerned workman was raised by the sponsoring union with the management along with some other cases of the workmen and it was agreed that all such cases including the con-

cerned workman would be referred to the age assessment committee as per implementation instruction No. 37 issued by the JBCCI on 1-2-81. Accordingly the concerned workman was referred to the age assessment committee where he was examined on 12-2-85 and his age was assessed to be 57 years on 12-2-85. Naturally he was superannuated on 12-2-88 and nothing wrong was done by the management.

8. The concerned workman obtained a certificate signed by the Supdt. of Mines Pipradih colliery and other officials to the effect that in Form B Register his date of birth was recorded as 15-2-1938. The management has to say that this certificate was obtained by the concerned workman on his request for its submission to the LIC. It was obtained with the fraudulent and malafide intention. On these grounds it has been submitted that the concerned workman has got no case and the Award be accordingly passed.

9. The question for consideration would be as to whether the superannuation of the concerned workman on 12-2-88 was justified.

10. Cause of action for this dispute arose sometimes in the year 1987 when the concerned workman could know that the so called medical board held on 12-2-85 declared his age to be 57 years as per his appearance. It is the consistent case of the concerned workman that his date of birth as recorded in Form B Register was 15-12-1938 and that he was appointed on 1-1-58 during the period of private ownership of the colliery. He also claimed to have qualified for becoming a member of C.M.P.F. and that the return submitted in Form A contained his date of birth to be 15-12-1938. Definitely the concerned workman had qualified himself to become the member of C.M.P.F. and he had made contribution to the C.M.P.F. account No. D|316237. He has a number of account slipshowing deposit of amount towards C.M.P.F. which is marked Ext. W-1 series. Subsequently the Pass Book system was introduced and the C.M.P.F. amount continued to be deposited in the Pass Book. The Pass Book has been marked Ext. W-2. From this document it is well proved that the concerned workman had accounts No. D|316237. It was also urged that the Supdt. of Mine Pipradih Colliery under M/s. C.C.L. had granted certificate to the effect that the date of birth of the concerned workman was recorded as 15-12-1938 in Form B Register. In the face of these materials there was no justification for pre-mature superannuation, of the concerned workman.

11. The concerned workman has contended that he had met with an accident in course of employment and his leg was fractured. According to him he had claimed for compensation under the Workmen's Compensation Act and that he was direct to appear before the medical board for determination of the percentage of loss. Admittedly, he appeared before the Board which illegally assessed his age on mere physical appearance instead of assessing the percentage of loss of earning capacity. It was submitted that the said act of the management was wholly illegal unwarranted and without jurisdiction. It may be noted that there is nothing to show that he had met with an accident and he had applied for compensation but the report of the doctor is there (Ext. M-6).

12. First of all we will see as to when a workman can be referred to the medical board for assessment of age. Ext. M-7 is the instruction of the JBCCI concerning the procedure for determination of age of employee. The relevant portion read as follows :—

(a) Wherever there is no variation in records, such cases will not be reopened unless there is a very glaring and apparent wrong entry brought to the notice of the management. The management after being satisfied on the merits of the case will take appropriate action for correction through age determination Committee/Medical Board.

(b) Wherever there are variations, a suitable provision for age determination Committee/Medical Boards would be made."

13. From the aforesaid provision it is clear that in case of no variation in the record the case is not to be reopened but in case of variation a suitable provision for age determination Committee/Medical board should be made. The question is whether in the instant case there was any variation of age in the record ? The form 'B' Register in original has been marked Ext. M-1. The name of the concerned workman appears against Sl. No. 55 of the register. In col-4 the age of the concerned workman has been recorded as 32 years but in the remarks column his date of birth has been noted as 15-12-1988. Under Col. 7 his date of appointment has been shown as 1-1-1958. If he was aged 32 years on 1-1-58 then he should have retired on 1-1-86. The learned counsel for the concerned workman submitted as to why a man aged 32 years will join service and why the management will allow such aged person. I feel such contention has got no merit for consideration. Pipradih colliery was a private company belonging to Pacific Coal Company. In the private company it was for the management to give employment to anybody. If the date of birth recorded in the remarks column as 15-12-1938 is accepted then the concerned workman should retire on 15-12-1998 after completion of 60 years of age. At this stage it may be significantly noted that at the foot of the register there is a note which reads as follows :—

"In case of adolescents the Serial Number and date of certificate of fitness shall be entered in the remarks column."

This note is a clear embargo which imposes restriction upon the management not to write anything in the remarks column save and except as required under notes at the foot of the register. In this way nothing of date of birth of the concerned workman in the remarks column was unnecessary and uncalled for.

14. The concerned workman heavily relied upon the certificate (Ext. M-8) granted by the Supdt. of Mines, Senior Medical Officer and Labour Welfare Officer. The certificate reads as follows :—

"To whom it may concern.

This is to certify that the date of birth of Sri Brij Nandan Thakur, Peon Pipradih Colliery as per Form 'B' of Pipradih Colliery is 15-12-1938.

This certificate is being issued to enable him for his life insurance.

Sd/- Illeg.	Sd/- Illeg.	Sd/- Illeg.
Sr. M.O.	L.W.O.	Sup dt. of Mines/-
Pipradih colliery		Manager
		Pipradih."

It was granted on 9-9-81. The certificate was to the effect that the date of birth according to Form B Register was 15-12-1988. The purpose for which it was granted does not merit much consideration. The whole thing was that the certificate was not based upon the assessment of the Senior Medical Officer nor he had any reason for assessing the age of the concerned workman. The certificate simply suggests that they had jointly seen the entry in Form B Register and on the basis thereof they certified the date of birth of the concerned workman. As stated above whether the date of birth recorded in the remarks column can be considered and the concerned workman can claim any advantage of such unwarranted entry there. I think, the answer must go in negative. In this connection I may refer to the evidence of MW-1 Shri K. B. Sahay. He stated that column 1 to 7 of Ext. M-1 was in the writing of Shri Ranjit Prasad, Sr. Clerk. He stated that entry in Form B Register is made on the statement of individual workman. According to him his date of birth in the remarks column was subsequently written by Shri Deo Narayan Sharma and for that he had no base. Conspicuously it may be noted that the chargesheet has already been issued against Shri Sharma for so many omission and commission made by him (Ext. M-5). The witness has denied the suggestion that the chargesheet has been prepared for the purpose of this case.

15. Ext. M-4 is the service sheet prepared by the authority of NCDC which bears the signature of the concerned workman. His date of birth under Ext. M-4 has been recorded as 14-3-1925 and the date of appointment as 1-1-1958. If he was born in 1925 then on the date of appointment he must be aged about 33 years which more or less confirms with the age recorded in the column 4 of Form B Register Ext. M-1. MW-1 stated further that he cannot say as to how and from where the date of birth has been noted in the service sheet. According to him the service sheet was first written by Shri Sudhir Kumar Ghosal, the St. Clerk. Again says that the date of birth as noted in the service sheet is not in the writing of Shri Ghosal. Prima facie there can be no earthly reason as to why Shri Ghosal will leave one important column to be written by some other person. However, according to MW-1 it was written by Shri Deo Narayan Sharma. The witness has denied that the date 14-3-1925 noted under Ext. M-4 was manufactured by the management after the present issue was raised.

16. The date of birth is also noted in Form A which is to be maintained by C.M.P.F. office. Admittedly, Form A of the concerned workman could not be traced out. MW-1 stated that in the year 1978 Shri B. N. Ghosh, Addl. Labour Welfare Officer and Shri D. N. Sharma, UDC were deputed to C.M.P.F. Ranchi to collect the date of birth of some workmen in accordance with Form A declaration. The witness had prepared the list containing the names of the workmen whose age was required to be enquired and taken from C.M.P.F. Ranchi, as per Form A. The list is Ext. M-2 which contains the names of 119 workmen whose date of birth was not available in the colliery. The witness had filled up all the column except the remarks col. He stated that the remarks column was written by Shri B. N. Ghosh and Shri D. N. Sharma. Forwarding letter containing the enclosure (M-2) has been marked Ext. M-3. Under Ext. M-2 the name of the concerned workman appears against Sl. No 46. In the remarks column the date of birth of different workman has been noted. The witness stated that remarks column against Sl. No. 46 was written by Shri D. N. Sharma. This means the date of birth of the concerned workman in the remarks column of Ext. M-2 was written by Shri Sharma. In this way we find that Shri Sharma has made his appearance every where and he seemed to be very vigilant in noting the date of birth of the concerned workman in different record. The witness was not sure about the correctness of the entry in the remarks column of Ext. M-2. He did not see Form-A of the concerned workman.

17. Shri B. N. Ghosh has been examined as MW-2. He stated that remarks column of Sl. No. 46 was written by Shri D. N. Sharma. He was denied the suggestion that the entry in remarks column was made by Shri Sharma at his dictates. The witness stated that Form A of Shri B. N. Thakur was not available in C.M.P.F. office at Ranchi. The witness admitted that it was his duty to make entry in the remarks column of Ext. M-2. He stated that entry in the remarks column against the name of the concerned workman was not made in his presence. Here the question arises as to how and from where the date of birth was noted in Ext. M-2 when Form A of the concerned workman was not available in C.M.P.F. office at Ranchi. This means it was wrong recording which should not be given any credence for consideration of the issue in question. It appears that Mr. Ghosh allowed the things to go unnoticed which was not worth appreciable. In the circumstances the list Ext. M-2 lost its credence and at no stage it can be made a base for settling such an important issue.

18. The concerned workman has examined himself as MW-1 and stated that at the time of private ownership Form B Register was prepared wherein his age was recorded as 18 years. According to him Form B Register produced by the management was not the original Form B Register and it did not bear his signature against his name. The witness had learnt that there was something wrong in recording his age and he had requested the Supdt. of Mines to convey his real age. I have already stated that the certificate (Ext. M-8) was based upon the entry made in Form B Register. He has proved his account slip and Pass Book which are Ext. W-1 and W-2 respectively.

19. From the discussions made above I find that there was no correct list of the document showing the age of the concerned workman. The genuineness of Form B Register has been challenged by the concerned workman. Declaration Form A was not available to tally the age recorded in Form B Register. In the service sheet also Ext. M-4 the date of birth stated to have been recorded by Shri D. N. Sharma. Similarly in the list Ext. M-2 the date of birth was noted by Shri Sharma without any basis. It looked very confusing and surprising at the same time as to why and for what earthly gain Shri Sharma will be noting a different date of birth of the concerned workman in different register. According to MW-1 the date of birth as 14-3-25 in the service sheet was recorded by Shri D. N. Sharma. According to MW-2 the date of birth as 15-12-1938 was recorded by Shri Sharma under Ext. M-2. All these are most confusing any only conclusion would be that there was variation at every stage so far the recording of the age was concerned. In the circumstances examination of the concerned workman by the medical board was necessary. The management stated that the concerned workman was examined by the Medical Board where his age was assessed to be 57 years on 12-2-1985. However, the concerned workman has denied that he was ever examined by any medical board. According to him he was neither X-rayed nor scientifically examined for assessment of age. At this stage we may refer to Ext. M-6 which is the report of the age determination committee at area level, Kathara area. In the last portion it has been reported that there is no variation in record but by appearance his age appears to be 57 years on 12-2-1985. It also bears the signature of Dy. Medical Supdt. and the other officer. Thus the certificate itself is most unscientific when age of the concerned workman was assessed on the basis of his physical appearance. This suggests that he was not properly examined. I cannot say whether any X-ray examination will be necessary for determination of the age. But according to the Evidence Act ossification of bones is the best method of correct assessment of age. For the reasons stated above I am to hold the view that the age of the concerned workman should be assessed by the Medical Board according to the legal procedure. The management is thus directed to constitute the medical board who will examine the age of the concerned workman within one month from the date of the publication of the Award and the assessment of the medical Board will be final and the reinstatement of the concerned workman will depend upon the assessment of age by the medical board.

B. RAM, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का.प्रा. 2641.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई. सी. एल. की हारियाजाम कोलियरी के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1) धनवाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 7-9-92 को प्राप्त हुआ था।

[संख्या एल-20012/27/88-डी-3 (ए) (1)]

वी. के वेणुगोपालन, डैस्ट्रेक्टर अधिकारी

New Delhi, the 17th September, 1992

S.O. 2641.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. I),

Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Harijam Colliery of M/s. E.C.L. and their workmen, which was received by the Central Government on the 7-9-1992.

[No. L-20012/27/88-D.JII(A)]

V. K. VENUGOPALAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 82 of 1988

PARTIES :

Employers in relation to the management of Harijam Colliery of M/s. E.C. Ltd., Dhanbad.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri R. S. Murthy, Advocate.

For the Workmen.—Shri D. K. Verma, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 28th August, 1992

AWARD

By Order No. L-20012/27/88-D.3(A), dated, the 18th July, 1988, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. Eastern Coalfields Ltd., Dhanbad in denying employment to the dependent of Late Sri Dhaneshwar Bhuiya, Wagon Loader appropriate? If not, to what relief is the workman entitled to?”

2. The case of the management of Harijam Colliery of M/s. Eastern Coalfields Ltd., Dhanbad, as disclosed in the written statement-cum-rejoinder, details apart, is as follows :

The person concerned, namely, Gaya Bhuiya, is not a workman within the meaning of Section 2(s) of the Industrial Disputes Act and hence, there can be no dispute between him and the management within the meaning of Section 2(k) of the said Act. The substantive case of the management is that

Dhaneshwar Bhuiya was employed as wagon loader in Harijam Colliery of M/s. E.C. Ltd. He started absenting from duty continuously with effect from 7-12-82 without permission or sufficient cause and it constituted a misconduct under Clause 17(i)(n) of the Model Standing Orders applicable to the establishments in coal mines. He was issued with a chargesheet dated 19-10-1983. His explanation dated 21-10-1983 to the chargesheet having been found unsatisfactory, a regular domestic enquiry was ordered and he fully participated in the enquiry. The enquiry was held in accordance with the principles of natural justice. The Enquiry Officer submitted his report on the basis of the enquiry held by him and he found that Dhaneshwar Bhuiya was guilty of the charge framed against him. Upon consideration of the report of the Enquiry Officer and proceeding of the enquiry, General Manager, Nirsa Area, in which Harijam Colliery falls, came to the conclusion that this was a fit case for dismissal of Dhaneshwar Bhuiya from service. Accordingly Dhaneshwar Bhuiya was dismissed from service by letter dated 28-12-1983 with immediate effect. Supposing the above fact, Gaya Bhuiya approached the A.L.C.(C), Dhanbad, with a petition and unfortunately the petition was treated an industrial dispute. Anyway, conciliation proceeding ended in failure and A.L.C.(C), Dhanbad, submitted his report to the Govt. of India, Ministry of Labour, and the appropriate Government has been pleased to refer the dispute for adjudication to this Tribunal. Gaya Bhuiya is not the brother of Dhaneshwar Bhuiya, but he approached the A.L.C.(C), Dhanbad, directly long after the death of Dhaneshwar Bhuiya. Records of the management do not indicate that Dhaneshwar Bhuiya had any brother, much less a brother with the name of Gaya Bhuiya. In the circumstances, the management has submitted that its action in refusing employment to Gaya Bhuiya be held to be justified.

3. The case of Gaya Bhuiya, as disclosed in the written statement submitted by him, is as follows :

Dhaneshwar Bhuiya was working as an underground Loader in Harijam Colliery under M/s. E.C. Ltd. for pretty long time. He died on 12-12-1983 leaving behind him his younger brother, Gaya Bhuiya, who was fully dependent on his earnings. According to provisions of N.C.W.A. the dependent—the legal heir of an employee dying while in service is entitled to get employment in the colliery. He prayed before the management to provide him employment but unfortunately the management did not give him any favourable reply. He is the younger brother of late Dhaneshwar Bhuiya. He is an able bodied person and capable of doing any work suitable for him. The action of the management in not providing employment to him is unjustified.

4. In rejoinder to the written statement of Gaya Bhuiya, the management has stated that Dhaneshwar Bhuiya was working in Harijam Colliery as an underground loader. The management has asserted that Dhaneshwar Bhuiya died on 5-12-1983 in a road accident and not on 12-12-1983 and denied that Gaya Bhuiya is the brother of Dhaneshwar Bhuiya.

5. Gaya Bhuiya has not submitted any rejoinder to the written statement of the management.

6. The management examined Dilip Kumar Singh, Enquiry Officer as MW-1 and laid in evidence the entire domestic enquiry proceedings which were marked Exts. M-1 to M-7. But since there was no prayer made by the management for hearing the preliminary issue as to whether the domestic enquiry was held fairly and properly, the issue relating to fairness and propriety of domestic enquiry was left open for hearing alongwith the merit of the case with the consent of both the parties.

7. Admittedly, Dhaneshwar Bhuiya was employed in Harijam Colliery of M/s. E.C. Ltd. It appears that he was working as underground loader in Harijam Colliery. The evidence on record indicates that he was absenting from duty from 7-12-83 without any information or sufficient cause and for this act of misconduct he was visited with a chargesheet dated 19-10-1983 for having committed misconduct under Clause 17(i)(n) of the Model Standing Order applicable to the Coal Mining Industries (Ext. M-2). In his reply dated 21-10-1983 to the chargesheet Dhaneshwar Bhuiya admitted that he absented from 7-12-1982 to 20-10-1983 due to illness. He admitted his mistake and apologised for the same (Ext. M-1/1). The management decided to hold domestic enquiry in the matter. Dilip Kumar Singh, working as P.O.'s Clerk in 1983 in Harijam Colliery, held domestic enquiry in presence of Dhaneshwar Bhuiya and found him guilty of the misconduct. He submitted his report finding Dhaneshwar Bhuiya guilty of misconduct on 7-11-83 and by letter dated 28-12-1983 (Ext. M-7) Dhaneshwar Bhuiya was dismissed from service. This letter of dismissal was issued against a dead person for, according to the management, Dhaneshwar Bhuiya died in a road accident on 5-12-1983. The order of dismissal of a dead person from service is illegal and void ab initio. In this view of the matter, the final outcome of domestic enquiry resulting in dismissal of Dhaneshwar Bhuiya from service when he was no more in the land of living has got no legal effect at all.

8. The management, realising the position adduced further evidence by examining three witnesses, namely, MW-2 N. P. Sinha, MW-3 Sugua Bhumi and MW-4 Budhu Bhuiya.

Gaya Bhuiya did not adduce any evidence, oral or documentary.

9. Gaya Bhuiya is claiming employment as dependent brother of Dhaneshwar Bhuiya. The management has disputed the fact that Gaya Bhuiya is the brother of Dhaneshwar Bhuiya and in the process raised the objection that the present dispute is not a dispute within the meaning of Section 2(k) of the Industrial Disputes Act.

The case of Dhaneshwar Bhuiya has not been espoused by any union, registered or un-registered, recognised or un-recognised, operating in Harijam colliery. The Hon'ble Supreme Court observed in the case of Bombay Union of Journalists and others

Vs. The 'Hindu', Bombay and another reported in 1961 (II) L.I.J. 436 that in ascertaining whether an individual dispute has acquired the character of an industrial dispute, the test is whether at the date of reference, the dispute was taken up as supported by the union of the workmen of the employer against whom the dispute is raised by an individual workman or by an appreciable number of workmen. In order to convert an individual dispute into an industrial dispute it has to be established that the dispute had been taken up by the union of the employees of the establishment or by appreciable number of employees of the establishment. Gaya Bhuiya's case, as I have pointed out before, has not been espoused by any union of the employees of the establishment or by any appreciable number of employees of the establishment. That being so, the dispute raised by Gaya Bhuiya has remained an individual dispute and it has not acquired the character of an industrial dispute. Hence, the present dispute raised by Gaya Bhuiya individually is not maintainable.

10. That apart, Gaya Bhuiya has been claiming employment as dependent younger brother of Dhaneshwar Bhuiya who died while in service. The management has denied and disputed the contention that Gaya Bhuiya is the dependent younger brother of Dhaneshwar Bhuiya. Clause 9.4.2 of N.C.W.A. III envisages provision for employment of one dependent of the worker who dies while in service. The clause is re-produced hereinbelow :

"9.4.2 Employment of one Dependant of the Worker who dies while in service.

- (i) The dependant for this purpose means the wife/husband as the case may be, unmarried daughter, son and legally adopted son. If no such direct dependant is available for employment, younger brother, widowed daughter/widowed daughter-in-law residing with the deceased and almost wholly dependant on the earnings of the deceased may be considered to be the dependant of the deceased.
- (ii) The dependant to be considered for employment should be physically fit and suitable for employment and aged not more than 35 years provided that the age limit shall not apply in the case of spouse."

I have already stated that Gaya Bhuiya has not laid any evidence, oral or document, supportive of the fact that he is dependant younger brother of Dhaneshwar Bhuiya. On the other hand, the management has produced Form No. 2 as per Coal Mines Family Pension Scheme, 1971 disclosing the particulars of family members submitted by Dhaneshwar Bhuiya. In this Form Dhaneshwar Bhuiya disclosed that his family consisted of mother, Sugua Bhumi and wife Champa Bhumi (Ext. M-8). He has not disclosed therein that Gaya Bhuiya is a member of his family. Sugua Bhumi, mother of Dhaneshwar Bhuiya, has testified before this Tribunal. She has stated that Dhaneshwar Bhuiya died in an accident that she had two sons, Dhaneshwar Bhuiya

and Budhu Bhuiya and since Dhaneshwar Bhuiya left the mortal world she is left with the only one son, namely, Budhu Bhuiya. Her testimony discloses that Dhaneshwar Bhuiya was married and two sons were born in the wed-lock but both of them are dead and Dhaneshwar's wife has remarried. Budhu Bhuiya appearing as MM-4 has stated that his mother's name is Sugua Bhuiya and that they were two brothers—Dhaneshwar and himself and that Dhaneshwar Bhuiya, his elder brother, was working in Harijan colliery and died in an accident. In cross-examination he has admitted that his mother Sugua Bhuiya has married his uncle, Prabhu Bhuiya. But this statement of his does not render any fillip to the case of Gaya Bhuiya. The evidence of Sugua Bhuiya and Budhu Bhuiya unmistakably establishes the fact that Sugua Bhuiya had two sons, namely, Dhaneshwar Bhuiya and Budhu Bhuiya of whom Dhaneshwar Bhuiya was the elder and he is dead.

11. Clause 9.4.2 of N.C.W.A. III envisages that if no such direct dependant, such as, wife/husband, unmarried daughter, son and legally adopted son, is available for employment, younger brother, widowed daughter/widowed daughter-in-law residing with the deceased and almost wholly dependant on the earnings of the deceased may be considered to be the dependant of the deceased. There is no evidence to show that Gaya Bhuiya, even if he is accepted as the younger brother of Dhaneshwar Bhuiya, was residing with the deceased Dhaneshwar Bhuiya and was almost wholly dependant on the earnings of the deceased Dhaneshwar Bhuiya. Hence, by no stretch of imagination Gaya Bhuiya can be considered to be dependant younger brother of Dhaneshwar Bhuiya. So, the action of the management in denying employment to him is perfectly justified.

12. Accordingly, the following award is rendered—the action of the management of Harijan Colliery of M/s. Eastern Coalfields Ltd. in denying employment to Gaya Bhuiya is perfectly justified.

In the circumstances of the case, I award no cost. This is my award.

Sd/-

S. K. MITRA, Presiding Officer.

नई दिल्ली, 17 मितम्बर, 1992

का.आ. 2642 औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैमर्सी बी. सी. सी. ए.ल. की 20/21 पिट्म कोलियरी के प्रबंधतात्व के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (स. 2), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-92 को प्राप्त हुआ था।

[स. एल-20012/191/86-डी-3 (ए) आईआर (कोल-1)]

वी. के. वेणुगोपालन, डैम्स अधिकारी

New Delhi, the 17th September, 1992

S.O. 2642.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2), Dhanbad as shown in the Annexure in the Individual dispute between the employers in relation to the Mgt. of 20/21 Pits colliery of M/S B.C.C.L and their workmen which was received by the Central Government on the 8-9-1992.

[No. L-20012/191/86-D(III(A))R(C.I.)]
V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Present

Shri B. Ram,
Presiding Officer.

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 2 OF 1987

PARTIES :

Employers in relation to the management of 20/21 Pits Murulidih Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workman : Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union.

On behalf of the employers : Shri R. S. Murthy, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dated, Dhanbad, the 28th August, 1992

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/191/86-D.III(A) dated, the 22nd December, 1986.

SCHEDULE

“Whether the action of the management of 20/21 Pits Murulidih Colliery of M/s. Bharat Coking Coal Limited in superannuating from service their workman, Shri Ram Bish Bouri, Register Keeper w.e.f. 20-4-1985 is justified? If not, to what relief the workman is entitled ?

2. In this reference both the parties appeared and filed their respective W.S. documents etc. Thereafter the case proceeded along its course. Subsequently at the stage of oral evidence both the appeared before me and filed a petition of compromise under their

signature, I heard, both the petition on the said petition of compromise and do find that the terms contained therein are fair, proper and beneficial to both of them. Accordingly I accept the said petition of compromise and pass an Award in terms thereof which forms part of the Award as Annexure.

B. RAM, Presiding Officer

ANNEXURE

BEFORE, THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II DHANBAD.

Ref : 2/87

Employers in relation to the management of Bharat Coking Coal Limited, Murulidih Colliery, Mohuda Area.

AND

Their workman (Ram Brich Bouri)

PETITION FOR COMPROMISE

The above mentioned employers and the workman most respectfully submit jointly as under :—

- That the concerned workman Sri Ram Brich Bouri Ex-Register Keeper will be paid 50 per cent of wages for the period from 20-4-85 to 20-1-86 the date on which he would have retired based on admit card etc.
- That the employers and the workman hereby jointly declare that, they considered the aforesaid terms and conditions as fair just and reasonable to both the parties.
- That in view of this settlement there remains nothing to be adjudicated.

It is, therefore, prayed that the Hon'ble Tribunal may be please to accept the joint compromise petition and dispute of this case accordingly by giving an Award, in terms thereof.

For the workmen
Sd/-

(B. MOHANTHY)

Area Secretary, BCKU,
Mohuda Area.

For the employers
Sd/-

(MM BHATTACHARYA)
General Manager, BCCL.

Mohuda Area.

Sd/-

(AK RAO)
Dy. Chief Pers. Manager.
Mohuda Area.

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2643 औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स भी. सी. प.ए. की गिदी वाशरी के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में

निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण (सं. 1) धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 15-9-92 को प्राप्त हुआ था।

[सं. एल - 20012/116/89 - आई आर (कोल - 1)]

वी. के. वेणुगोपालन, डैस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2643.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Gidi Washery of M/s. C.C.L. and their workmen, which was received by the Central Government on the 15-9-92.

[No. L-20012/116/89 IR(C. 1)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 202 of 1989

PARTIES :

Employers in relation to the management of Gidi Washery of M/s. Central Coalfields Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers—Shri R. S. Murthy,
Advocate.

For the Workmen—Shri D. Mukherjee,
Secretary, Bihar Colliery Kamgar Union.

STATE : Bihar

INDUSTRY : Coal

Dated, the 3rd September, 1992

AWARD

By Order No. L-20012/116/89-I.R.(Coal-I) dated the 8th December, 1989, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Gidi Washery of C.C.L. P.O. Gidi, Dist. Hazaribagh by not making payment of Interim Relief to the workmen engaged in Slurry Ponds of Gidi Washery is justified? If not, to what relief the workmen concerned are entitled?”

2. The order of reference was received in the office of the Tribunal on 15-12-1989. After receipt of the order of reference Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union, appeared on behalf of the workmen and prayed for adjournment for filing written statement. Adjournment was granted and next date was fixed for filing written statement by the workmen on 22-3-1990. On that date Shri R. S. Murthy, Advocate, appeared for the management and Shri D. Mukherjee, Secretary, Bihar Colliery Kamgar Union, appeared but did not file any written statement. On verbal prayer of Shri Mukherjee several adjournments were granted. Ultimately Shri Mukherjee submitted that he was not interested to take any step in the case and in the circumstances, I am constrained to pass 'no dispute' award in the present case.

3. Accordingly, I pass 'no dispute' award in this case.

In the circumstances of the case, I award no cost.

This is my award.

S. K. MITRA, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2644—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. का मुनीझीह प्रोजेक्ट के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्धिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण (सं. 1) धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 14-9-92 को प्राप्त हुआ था।

[सं. एल-20012/30/91-आई आर(कोल-1)]

वी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2644.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Moonidih Project of M/s. B.C.C.L. and their workmen, which was received by the Central Government on the 14-9-1992.

[No. L-20012/30/91-IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 77 of 1991

PARTIES :

Employers in relation to the management of Moonidih Project of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers—None.

For the Workmen—None.

STATE : Bihar

INDUSTRY : Coal

Dated, the 28th August, 1992

AWARD

By Order No. L-20012(30)91-I.R.(Coal-I), dated, the 26th July, 1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the union for correction of age of Shri Sukar Saw, Token No. 2477 of Moonidih Project under Moonidih Area of M/s. B.C.C. L/d., Dhanbad is 28 years as on 17-10-71 by the management is justified? If so, what relief the workman is entitled to?"

2. The order of reference was received in the office of the Tribunal on 8-8-1991. Since then several notices were issued to the Organising Secretary, Dhanbad Colliery Karmachari Sangh, to file written statement on behalf of the concerned workman. But neither the sponsoring union nor the concerned workman appeared to take any step in the matter. In the circumstances, I am constrained to believe that neither the concerned workman nor the sponsoring union is interested in pursuing the case.

3. Accordingly, I pass 'no dispute' award in this case.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2645—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मैसर्स बी. सी. सी. एल. की मध्यबन्ध कौलियरी के बरोरा श्वेत सं. 1 के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्धिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार ओद्योगिक अधिकरण (सं. 1), धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 14-9-92 को प्राप्त हुआ था।

[सं. एल-20012/253/90-आई. आर. (कोल-1)]

वी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2645.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 1), Dhanbad as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Madhuban Colliery in Barora Area No. I, M/s. BCCL and their workmen, which was received by the Central Government on the 14-9-92.

[No. L-20012/253/90-IR(Coal-I)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 24 of 1991

PARTIES :

Employers in relation to the management of Madhuban Colliery in Barora Area No. I of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers : None.

For the Workmen : Shri D. K. Dey, Secretary, Dhanbad Colliery Karmachari Sangh.

STATE : Bihar INDUSTRY : Coal

Dated, the 28th August, 1992

AWARD

By Order No. L-20012/253/90-I.R.(Coal-I), dated the 14th March, 1991, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the management of Madhuban Colliery of Barora Area No. I of M/s. Bharat Coking Coal Ltd., is justified in not accepting the demand of the Dhanbad Colliery Karmachari Sangh, that the workman Shri Bodia Chamar should be placed on Moulder in Cat. IV? If not, to what relief the said workman is entitled?”

2. The order of reference was received in the office of the Tribunal on 1-4-1991. Since then several

notices were issued to the union for filing written statement on behalf of the workmen. But neither the sponsoring union nor the workman concerned appeared. Ultimately, Shri D. K. Dey, Secretary, Dhanbad Colliery Karmachari Sangh, appeared and stated that he is not interested to proceed with the present industrial dispute. Hence, I am constrained to pass a ‘no dispute’ award in this case.

3. Accordingly, I pass ‘no dispute’ award in this case.

In the circumstances of the case, I award no cost. This is my award.

S. K. MITRA, Presiding Officer

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2646.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स टाटा आयरल एंड स्टील कम्पनी लिमि., जामादोबा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-92 को प्राप्त हुआ था ।

[संख्या एल-20012/329/90 आई आर (कोल-1)]

वी. के. वेणुगोपालन, डेस्क अधिकारी

New Delhi, the 17th September, 1992

S.O. 2646.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Tata Iron & Steel Company Ltd., Jamadoba and their workmen, which was received by the Central Government on the 15-9-92.

[No. L-20012/329/90-I.R. (Coal-I)]

V. K. VENUGOPALAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 10 of 1991

PARTIES :

Employers in relation to the management of M/s. TISCO Ltd., Jamadoba.

Versus

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.
 For the Workmen.—Shri B. N. Sharma, Jt. Gen. Secretary, Janta Mazdoor Sangh.
 (Final hearing—none).

STATE : Bihar INDUSTRY : Coal
 Dated, the 2nd September, 1992

AWARD

By Order No. L-20012/329/90-I.R. (Coal-I), dated, the 12th February, 1991, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. TISCO Ltd., Jamadoba in removing the name of the workman Sri Devi Pd. Upadhyay from the roll of the Company w.e.f. 8-2-1988 is justified? If not, to what relief the workman is entitled to?”

2. The order of reference was received in the office of the Tribunal on 15-2-1991. Since then several notices were issued to the Joint General Secretary, Janta Mazdoor Sangh, to file written statement on behalf of the concerned workman. But neither the sponsoring union nor the concerned workman appeared to take any step in the matter. In the circumstances, I am constrained to believe that neither the sponsoring union nor the concerned workman is interested in pursuing the case.

3. Accordingly, I pass ‘no dispute’ award in this case.

In the circumstances of the case, I award no cost. This is my award.

S. K. MITRA, Presiding Officer.

नई दिल्ली, 17 सितम्बर, 1992

का. आ. 2647.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भेसर्स बी. सी. सी. एल. की नुदखुर्की कोलियरी के प्रबंधतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1), धनबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-9-92 को प्राप्त हुआ था।

[संख्या एल—20012/53/89 आई आर (कोल-I)]

वी. के वेणुगोपालन, डैस्ट्रिक्ट अधिकारी

New Delhi, the 17th September, 1992

S.O. 2647.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial

dispute between the employers in relation to the management of Nudkhurkee Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on the 15-9-1992.

[No. L-20012/53/89-I.R(C-I)]

V. K. VENUGOPALAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 153 of 1989

PARTIES :

Employers in relation to the management of Nudkhurkee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—Shri D. K. Verma, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dated, the 3rd September, 1992

AWARD

The present reference arises out of Order No. L-20012/53/89-I.R. (Coal-I) dated 7-1-1989 passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows :

“Whether the action of the management of Nudkhurkee Colliery of M/s. B.C.C. Ltd. in not regularising Shri Pradeep Kumar Rajhans as Sale Supervisor is justified? If not, what relief the concerned workman is entitled?”

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be passed on the basis of terms and conditions laid down in the memorandum of settlement. I accept it and pass an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

S. K. MITRA, Presiding Officer.

BEFORE :

The Presiding Officer,

Central Govt. Industrial Tribunal No. I.
A.-Dhanbad.

Reference No. 153/89

Employers in relation to the management of
Nukhurlee Colliery.

AND

Their Workmen.

PETITION OF COMPROMISE

The humble petition on behalf of the parties to
the above reference most respectfully shewth :—1. That the above dispute has been amicably
settled between the parties on the following terms :—

TERMS OF SETTLEMENT

(a) That the concerned workman Sri Pradeep Kumar Rajhans will be regularised as Senior Despatch Clerk in his existing Special Grade with effect from the same date he was promoted as Senior Store Keeper.

(b) That the concerned workman will not claim for any other benefit, financial or otherwise, out of the present demand for his regularisation as Sales Supervisor and his cadre will be in the list of Despatch personnel and not in store personnel.

2. That in view of the above settlement there
remains nothing to be adjudicated.Under the facts and circumstances, the Hon'ble
Tribunal will be graciously pleased to accept the
settlement as fair and proper and be pleased to pass
the Award on terms of the settlement.

FOR THE WORKMEN :

Sd/-

1. (R. A. SINGH)
General Secretary,
Cavafeld Labour Union.

Sd/-

2. (P. K. RAJHANS)

Witnesses :

Sd/-

1. (P. N. CHAUDHARY)

Sd/-

2. (JAGDISH KUMHAR)

FOR THE EMPLOYERS

Sd/-

1. (N. C. NIRULA)
Chief General Manager
Block-II Area.

Sd/-

2. (M. K. SINGH)
Personnel Manager,
Block-II Area.

Sd/-

(Advocate)

नई दिल्ली, १७ सितम्बर, १९९२

का. अ. २६४८.—औदोगिक विवाद अधिनियम,
१९४७ (१९४७ का १४) की धारा १७ के मन्त्ररण में,
केन्द्रीय सरकार, मैसर्स टाटा आयरल एंड स्टील कम्पनी
लिमि., जामादोबा के प्रबन्धताल के सबूद्ध नियोजकों और
उनके कर्मकारों के दीप, अनुबंध में निर्दिष्ट औदोगिक विवाद
में केन्द्रीय सरकार औदोगिक अधिकरण, (सं. १), धनबाद
के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को
१५-९-९२ को प्राप्त हुआ था।

[संख्या प्रल-२००१२/१०६/९०-ग्राइ आर (कोल-१)]
श्री. कृ. वेणुगोपालन, डैस्क प्रधिकारी

New Delhi, the 17th September, 1992

S.O. 2648.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award of
the Central Government Industrial Tribunal (No. I),
Dhanbad as shown in the Annexure in the industrial
dispute between the employers in relation to the
management of M/s. Tata Iron & Steel Company
Ltd., Jamadoba and their workmen, which was
received by the Central Government on the 15-9-92.

[No. L-20012/106/90-I.R. (Coal-1)]

V. K. VENUGOPALAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. I, DHANBADIn the matter of a reference under Section 10(1)(d)
of the Industrial Disputes Act, 1947

Reference No. 245 of 1990

PARTIES :

Employers in relation to the management of
M/s. Tata Iron & Steel Company Ltd.,
Jamadoba.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—Shri B. N. Sharma, Joint
General Secretary, Janta Mazdoor Sangh.

STATE : Bihar

INDUSTRY : Coal

Dated, the 2nd September, 1992

AWARD

By Order No. L-20012/106/90-I.R. (Coal-I), dated, the 5th October, 1990, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of M/s. Tata Iron & Steel Company Ltd., Jamadoba P.O., Distt. Dhanbad in dismissing Shri Jamuna Pd. Upadhyay, Chairman from service with effect from 8-2-1988 is justified? If not, to what relief the workman is entitled?

2. The order of reference was received in the office of the Tribunal on 11-10-1990. Since then several notices were issued to the Joint General Secretary, Janta Mazdoor Sangh, to file written statement on behalf of the concerned workmen. But neither the sponsoring union nor the concerned workman appeared to take any step in the matter. In the circumstances, I am constrained to believe that neither the sponsoring union nor the concerned workman is interested in pursuing the case.

3. Accordingly, I pass 'no dispute' award in this case.

In the circumstances of the case, I award no cost. This is my award.

S. K. MITRA, Presiding Officer.

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2649.—औदोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, भेदभावी सरकार इंडियन ओवरसीज बैंक के प्रबन्धनात्मक संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औदोगिक विवाद में औदोगिक अधिकरण, भू. बनेश्वर के पंचपट को प्रकाशित करती है, जो भेदभावी सरकार को 15-9-92 को प्राप्त हुआ था।

[संख्या एल-12011/85/89 डी-2 (ए)]

क्री. के. वेणुगोपालन, ईस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the Management of Indian Overseas Bank and their workmen, which was received by the Central Government on 15-9-1992.

[No. L-12011/85/89-D. II(A)]

V. K. VENUGOPALAN, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL : ORISSA,
BHUBANESWAR

PRESENT :

Sri R. K. Dash, I.I.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 28 OF 1990
(CENTRAL)

Bhubaneswar, the 2nd September, 1992

BETWEEN

The Management of Indian Overseas Bank,
78, Sabarsahi Lane, Bhubaneswar.

... First Party—management.

AND

Their workmen represented through All Orissa Overseas Bank Employees' Union, V.S.S. Nagar, Bhubaneswar.

... Second Party—workmen.

APPEARANCES :

Sri A. K. Mohanty, Law Officer — For the first party—management.

Sri Gouri Kumar,

General Secretary of the Union.

... For the second party—workmen

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (4) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L-12011/85/89-D. II A dated 23rd July 1990 :—

"Whether the action of the management of Indian Overseas Bank by not paying half yearly closing allowance/overtime wages to the award staffs working in the Regional Office, Bhubaneswar for the half yearly closing December, 1988 and March 1989 and hence-forth is justified? If not, to what relief the workmen are entitled?"

2. A section of employees, namely, award staff working in the Regional Office of the management of Indian Overseas Bank, Bhubaneswar have raised the present dispute on the refusal of the management to pay them half-yearly closing allowance/overtime wages since December 1988 and onwards.

3. Sworn of all details, the case of the workmen is that the management introduced payment of closing

allowance/overtime wages to the award staff working in the branch offices. This allowance is being paid for the extra work done by those award staff during half-yearly and annual closing accounts of the Bank. The Regional Office of the Overseas Bank, Bhubaneswar is the administrative office under which there are 63 branch offices. This office monitors and consolidates the closing work of the branches and submits consolidated figures to the Central office. The staff of the administrative office are also engaged doing closing work as is being done by their—counterparts working in the branch offices. They consolidate the advances and deposits of all the branches, monitor the planning process and take follow-up action. The Officers working in the Regional office are being paid closing allowance @ Rs. 150 for their supervising the closing work which is initially originated and performed by the award staff. In so far as the workmen are concerned, the management for their doing such extra work once paid them closing allowance/overtime wages during the closing session of September 1989 but subsequently discontinued the same arbitrarily. In the premises, therefore, they have urged that the management should treat them equally and pay them closing allowance/overtime wages as is being paid to their counterparts working in branch offices.

4. The management on the other hand has pleaded inter-alia that the award staff of the branch offices in addition to their routine duties perform certain extra works during half-yearly and annual closing of books of accounts and for that the clerical staff are paid Rs. 145 and sub-staff @ Rs. 75 in lump sum. The employees of the Regional office on receipt of the statements from the branch offices prepare consolidated statements during working hours and it being not an additional duty they are not entitled to closing allowance as is being paid to the award staff of the branch offices. In sum and substance, the case of the management is that during half-yearly and yearly closing of accounts the award staff of the branch offices are paid some extra amount in lump sum for their doing excess work in addition to their normal duty whereas no such extra work is done by the employees of the Regional office and therefore, the claim of the present workmen working in the Regional Office for payment of closing allowance/overtime wages is unjustified. Merely because they were paid such allowance as a one time measure for the half-yearly closing of accounts in 1989 no right has accrued to them to claim extension of such benefit on regular basis.

5. In view of the pleadings of the parties, the following issues have been settled :—

- (1) If the award staff working in the Regional Office of the Bank at Bhubaneswar are entitled to closing allowance/overtime wages for the half-yearly closing December, 1988 and March, 1989 and thereafter is justified?
- (2) If the award staff are discriminated in the matter of payment of aforesaid allowance/overtime wages?
- (3) If the Management's action in refusing payment of the aforesaid allowance/overtime wages to award staff is legal and justified?

(4) To what relief, the workmen are entitled?

All the aforesaid issues being interlinked with each other are taken up for consideration simultaneously.

6. Both parties in support of their case have led oral evidence and in addition to it they have brought certain documents in evidence.

I shall first refer to the documents to find out as to what led the management of Indian Overseas Bank to take a decision to make payment of overtime allowance only to certain categories of employees. It is provided in the Indian Overseas Bank (Officer's) Service Regulation, 1979, Ext. A (xerox copy of a portion of the Regulation is filed and marked exhibit) that a workman who is directly engaged in the work relating to the closing of accounts or is required to do extra work arising out of such closing of accounts, closing allowance is to be paid to him. By virtue of such regulation the Personnel and Administration Department of the Central Office of the management made a circular, Ext. C that with a view to helping the branches to attend closing works and at the same time to inculcate discipline and to maintain uniformity in the administration, overtime wages was to be paid uniformly for the December closing work (IIInd half of 1988) to clerical staff and messengers who were directly involved in the closing work and such payment should not be made to award staff working in the administrative offices, i.e., Regional offices, zonal offices, central office and Staff training centres. However, the aforesaid benefit was extended as a one time measure to the employees of the administrative offices in the year 1989 under Ext. E. From the aforesaid circular and order it is made clear that the management with a view to encouraging the employees entrusted with the duty of closing of accounts within the stipulated period paid such closing allowance/overtime wages for their doing extra work in addition to their normal duty. Now the question is whether such benefit should be extended to the award staff working in the Regional Office, Bhubaneswar.

7. Let me now scan the evidence of the witnesses examined by the parties to see if the award staff of the Regional office are performing extra work beyond their normal duty during half-yearly closing of accounts.

Witness No. 1 for the workmen speaks that he has been consolidating the accounts and doing other works on receipt of the figures from the branch offices. He does not say whether for doing such work he is required to remain in the office beyond the office hours. The other witness would say that on receipt of figures from the branch offices calculation is made in the Regional office and after consolidation of all the figures received from the branch offices, within the stipulated period it is sent to the Head Office. To a Court question he speaks that during closing month i.e., March and September the award staff of the Regional Office worked over-time for about five to six hours a day. It is to be seen as to how far this evidence of his is believable. It is in his evidence that the total number of clerical staff in the Regional office is 17 to 18 and there are 34 branch offices under the Regional office. Monthly returns from these branches

are received and accounts are consolidated by five clerks. For maintaining day book, one clerk is engaged. There is a loan section in the Regional office where one clerk and one typist are engaged. Every month twenty loan applications are received and disposed of in the loan section. This is the sum total of work which is being done in the Regional Office throughout the year. Though he speaks that some more works are being done during closing period but his evidence is silent as to the nature of work they undertake during the said period.

The sole witness examined on behalf of the management is the Deputy Chief Officer, Indian Overseas Bank, Bhubaneswar. He has emphatically stated that employees of the Regional Office are not at all required to perform any closing work as is being done in the branch offices. In the Regional office there is no time bound work and the employees and officers do not remain in the office beyond the office hours and take-up extra work. He has given out the nature and manner of work performed by the employees of the Regional Office. According to him, the branch offices send balance sheets and figures every month to the Regional office on receipt of which compilation and consolidation are made whereafter those are sent to the Central office. In the same way they consolidate and compile the half-yearly returns submitted by the branch offices. He is a responsible officer of the management and there is no reason to disbelieve his testimony. On the other hand, no acceptable evidence could be led on behalf of the workmen to prove that the award staff of the Regional office are actually being engaged to work beyond office hours during half-yearly closing period. There is no gainsaying that merely because their counterparts working in the branch offices are being paid half-yearly closing allowance/overtime wages, such benefit should be extended to them even though they do not perform any extra work. In this view of the matter, I am of the opinion that the claim of the workmen, namely, award staff of the Regional office for payment of half-yearly closing allowance/overtime wages is not legally tenable.

8. Before parting, I may observe that the country is now facing a serious economic crisis. Major portion of the country's revenue is being taken-away by the public servants towards their salary. Few remains for the development programmes. It is, therefore, high time to put an end to the payment of closing allowance/overtime wages if not already done.

9. Having given my anxious consideration to the pleadings of the parties and the evidence, both oral and documentary, I hold that non-payment of half-yearly closing allowance/overtime wages to the award staff of the Regional Office, Bhubaneswar by the management since December 1988 onwards is legal and justified.

The reference is thus, answered accordingly. Dictated & corrected by me.

R. K. DASH, Presiding Officer

नई दिल्ली, 22 सितम्बर, 1992

का. आ. 2650.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबन्धतंत्र के संबंध नियंत्रकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, भुवनेश्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[संख्या एल—17012/156/90-आई आर (बा-II)]

वी. के. वेणुगोपालन, ईम्प क अधिकारी

New Delhi, the 22nd September, 1992

S.O. 2650.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Bhubaneshwar as shown in the Annexure in the Industrial Dispute between the employers in relation to the mgt. of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 16-9-92.

[No. L-17012/156/90-IR(B-II)]

V. K. VENUGOPALAN, Desk Officer

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT :

Sri R. K. Dash, L.L.B.,
Presiding Officer
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute case No. 6 of 1991 (Central)
Dated, Bhubaneswar, the 8th September, 1992

BETWEEN :

The Management of Life Insurance Corporation of India, Uditnagar Branch Office, Rourkela-12, Sundergarh. . .First Party-management.

AND

Their workman Sri Ashok Kumar Mishra, Ex-Sub-staff, C/o. Sri U. N. Mishra, Of. No. C-197, Sector-18, Rourkela-3, Sundergarh, Orissa. . .Second Party—workman

APPEARANCES :

Sri Bhagirathi Nanda, Asst. Administrative Officer ---For the first party-management.

Sri G. N. Panda, President of Sambalpur Division Life Insurance ---For the second party-workman.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication by this Tribunal vide their Order No. L. 17012/156/90-IR.B.(II) dated 18-2-91 :—

“Whether the action of the management of Life Insurance Corporation of India, Uditnagar Branch Office, Rourkela-12, Rourkela in terminating the services of Shri Ashok Kumar Mishra, sub-staff with effect from 7-4-90 is lawful and justified ? If not, to what relief the workman is entitled to.

2. The case of the workman may be succinctly stated as follows :—

The workman was given employment as a sub-staff on 7-6-85 against a permanent vacancy by the Senior Branch Management, Life Insurance Corporation of India, (for short 'Corporation') Uditnagar Branch. Since then he had been discharging his duty sincerely and to the satisfaction of his employer. As an employee of the Corporation he was paid bonus every year and allowed to avail CL/PL. However, the management suddenly served him a notice on 7-4-90 terminating his services. It is the further case of the workman that their Lordships of the Hon'ble Supreme Court in a dispute between the Corporation and some workers had put an embargo on the recruitment to various posts till final decision of the matter. After that embargo was withdrawn the management started the recruitment process. At that time the General Secretary of the Class-III and Class-IV employees of the Corporation of Sambhalpur Division submitted a list of daily and badli workers working at various offices for their absorption as regular sub-staff. The management considering the demand of the union absorbed all except four including the present workman. The management gave out that it was unable to consider the case of the workman favourably as he had crossed the prescribed age limit. The grievance of the workman in this regard is that at the time when he entered the Corporation and accepted the job he was within the age limit and worked for four and half years. So, he could not be blamed if he had crossed the age limit by the time the interview was held. In the circumstance, the action of the management being illegal and arbitrary, he raised a dispute and moved the local labour authority as a consequence of which a conciliation was held and on failure of the conciliation, the present reference has been made for adjudication.

3. The management in its lengthy written statement has challenged the claim of the workman both under law and facts. In so far as the question of law is concerned, it is urged that the L.I.C. of India (Staff Regulations), 1960 empowers for engaging employees in Class-III and Class-IV posts on temporary basis to meet the exigencies of workload. So, one who is appointed under the said Regulations on temporary

basis can not claim as a matter of right to be absorbed against any permanent post.

Giving out the history as to how the present workman entered into service, the management has pleaded that there was a ban on recruitment of new employees imposed by the National Industrial Tribunal. So, to meet the exigencies of work load a few temporary sub-staff were engaged in the Divisional Office, Sambhalpur as well as in the branch offices. The present workman was engaged on 7-6-85 as a temporary hand and continued to work intermittently till 7-4-90 and was paid wages daily. He being aware of the fact that his appointment was purely temporary it was open for him to opt for a suitable and better job before he crossed his age limit. That having not been done he can not claim as a matter of right to be absorbed against a permanent post in the Corporation. It is the admitted case of the management that before the National Industrial Tribunal, Bombay a dispute was raised for adjudication as to what would be the service conditions of Badli/temporary and part time workmen of the Corporation as well as the condition of their absorption in the regular cadre. The learned Tribunal while passing Award put a criterion that those employees who have worked 85 days within a period of two years in Class-III posts and 70 days within period of three years in Class-IV posts would qualify for being permanently absorbed. It was further held that those workers who worked from 1-1-82 to 20-5-85 would be eligible for permanent absorption. Certain difficulties thereafter cropped up in the matter of implementation of the said award and so, the Central Government referred a fresh dispute to the National Industrial Tribunal u/s 36-A of the Act. After giving the parties concerned an opportunity of hearing the Tribunal passed a fresh award. While both the references as aforesaid were subjudice orders were passed that the management shall not make regular appointment to fill-up the vacancies on permanent basis. Being aggrieved by both the awards the management went to the Hon'ble Supreme Court where matter was settled at rest by a compromise. The relevant term of compromise entered between the parties was that the management would consider the case of temporary/part-time Badli workmen employed for 85 days in any two years in Class-III posts and for 70 days in any three years in Class-IV posts in any of its establishment during the period from 1-1-82 to 20-5-85 for regular employment in the manner provided therein. It was also stipulated that the temporary/part-time Badli workmen who had applied for being absorbed in regular posts on or before 7-7-86 or those aforesaid categories of workmen whose applications had been received after 7-7-86 or on or before 6-3-87 and those applications had been rejected on account of late submission shall also be eligible for consideration for regular employment. The present workman is not covered under the aforesaid compromise and therefore, is not eligible to be absorbed against any permanent post.

As interim order was passed by the learned National Industrial Tribunal as well as the Hon'ble Supreme Court restraining the management to make permanent appointments, the present workman was appointed temporarily for the smooth administration of the office. To fill-up the vacancies in Class-IV

permanent posts a written test was held. The candidates who passed the written test were called to viva-voce. The case of the present workman was not considered as he had crossed the prescribed age limit. In the premises, it is submitted that non-consideration of the claim of the workman for absorption against permanent post by the management does not amount to unfair labour practice. He being a temporary hand his services had been terminated rightly.

4. In view of the pleadings of the parties, the only question for determination is whether the action of the management terminating the services of the workman is lawful and justified.

5. Both parties did not like to lead any oral evidence in support of their respective case. The workman relied upon the documents which are marked exhibits.

Admittedly, the second party was a 'workman' and was appointed on daily wage basis as is evident from the termination order marked Ext. 1. Though he was engaged for whole of the year but he worked intermittently ranging from 4-1/2 days to 24 days (see exhibits 2 and 3) in every month. His grievance is that having worked for about 4-1/2 years with utmost sincerity and the service record being without any blemish he should have been absorbed against a permanent post. Instead, the management overlooking his legitimate right engaged others who came out successful in the interview conducted for the purpose. The fact that the Class-IV posts have been filled-up by the candidates selected in the interview, the management admits the same in its reply to a notice to the Asst. Labour Commissioner (Central), Rourkela, marked Ext. 15. To justify its action, the management pleads that the workman and others were appointed temporarily as because the National Industrial Tribunal and subsequently, the Hon'ble Supreme Court passed interim order restraining the management not to fill-up the vacancies of the regular posts till the dispute reached its finality. Ultimately, the dispute was settled on compromise before the Hon'ble Supreme Court where it was agreed that the management would consider the case of temporary/part-time workmen employed for 70 days in any three years in Class-IV posts in any of the establishments during the period from 1-1-82 to 20-5-85 for regular employment. Accordingly, the aforesaid compromise was implemented in letter and spirit and temporary/part-time workmen were given employment. This being the state of affairs, the present workman who had been engaged on temporary basis was removed from service because the management had no other alternative than to take such a harsh step.

It is not at all the case of the management that some of the temporary/part-time workmen working in the Division Office, Rourkela and other branch offices were involved in the reference which was finally came to an end by way of compromise as aforesaid, and to carry out the terms of compromise they were given employment as regular employees in Class-IV posts. Rather, from the pleadings of the management as well as the letter addressed to the Asst. Labour

Commissioner (Central), Rourkela, Ext. 15 it transpires that after disposal of the reference the management conducted an interview and filled-up the posts of Class-IV employees ignoring the case of the present workman. True it is, the workman was not a party to the reference decided by the National Industrial Tribunal and subsequently by the Hon'ble Supreme Court but by virtue of compromise, the management agreed to absorb those Class-IV temporary employees who had worked for 70 days in any three years during the period from 1-1-82 to 20-5-85. When a person working for 70 days within a period of three years could be able to get a permanent job in the Corporation, the management applying the same principle should have absorbed the workman when he appears to have worked more than 100 days in each year during the period of his employment (see Exts. 2 and 3). Instead, the management terminated his services, held interview and appointed others without taking his case into consideration because of the reason that he had crossed the age limit by the time the interview was conducted. It is the admitted case of the management that the workman was allowed to sit in the written examination conducted for the interview with an express condition that his candidature would be treated valid subject to the waiver of age limit by the Zonal Manager. The age limit in my opinion should not have been taken into consideration by the authority as because the workman was an ex-employee and had already worked for 4-1/2 years by the time he appeared the interview. In the peculiar facts and circumstances of this case, the management should have relaxed the age limit and appointed the workman against a vacancy of a regular Class-IV post even without asking him to appear any such interview.

The management in the written statement has urged that some cases similar to the present one came up for consideration before the Hon'ble Allahabad High Court as well as the Hon'ble High Court of Orissa and in those cases the action of the management was held to be justified. If at all there were such judicial pronouncements the management in all fairness should have brought the same to my notice, so that I would have strictly followed the decision of the Hon'ble Orissa High Court which is binding on me.

6. In view of my discussions made above, I hold that the management acted arbitrarily in terminating the services of the workman and hence, the action of the management is illegal and unjustified. The management is directed to absorb him in a Class-IV post on permanent basis. In so far as the back wages are concerned, the workman worked for 118 days in the year 1987-88 and 168 days in 1988-89. So, on calculation, his engagement per month comes to 12 days in average. Accordingly, I direct the management to pay back wages @ 12 days for each month since the date of his termination. The back wages be paid within three months from the date of publication of this Award.

The reference is thus, answered accordingly. Directed & corrected by me.

Dated 8-9-92. R. K. DASH, Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2651.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, भारतीय सरकार, सेन्ट्रल रेलवे, शासी के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों वाली, अनुबंध में निश्चिल ओद्योगिक विवाद में भारतीय सरकार ओद्योगिक अधिकरण कानपुर के पंचायत को प्रकाशित करती है जो भारतीय सरकार को 16-9-92 को प्राप्त हुआ था।

[एन्स-11012/136/89-प्राई. आर (शी.यू.) (पीटी.)]

वी. वी. उर्जा, डेस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2651.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway, Jhansi and their workmen, which was received by the Central Government on 16-9-92.

[No. L-41012/136/89-IR(DU (Pt.))]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM LABOUR COURT
PANDU NAGAR, KANPUR.

Industrial Dispute No. 165 of 1990

In the matter of dispute between :

The President,
Rashtriya Chaturth Shreni Rail Mazdoor Congress
21236 Namneir Agra.

AND

The Divisional Rly. Manager, Central Rly.,
Jhansi.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012/136/89 I.R.(D.U.) dated 25-7-80, has referred the following dispute for adjudication to this Tribunal :—

Whether the D.R.M. (P) Central Rly. Jhansi is justified in terminating the services of Sri

Ganga Charan, S/o Sri Piri Charan M.R. C.L. w.e.f. 21-11-86? If not, what relief he is entitled and from what date?

2. The Industrial Dispute on behalf of the workman has been raised by Rashtriya Chaturth Shreni Rail Mazdoor Congress, Agra, through its President.

3. The case of the Union in short is that the workman had been working as Monthly Rated Casual Labour (hereinafter referred to as M.R.C.L.) Jhansi, under Traffic Inspector Central Railway, Mathura. He was declared medically unfit on 25-7-85. However, when the workman raised a demand for regularisation of his services, his services were illegally terminated w.e.f. 21-11-86, without any notice or one month's pay in lieu of notice and without payment of retrenchment compensation. It is also alleged by the Union that the workman had acquired temporary status. The Union has, therefore, prayed for his reinstatement with full back wages.

4. The case is contested by the management. The management plead that the services of the workman were never terminated. In fact on inquiry it was found that the service card produced by him at the time of his appointment was fake. Therefore, his selection stood cancelled. The management further plead that since there was a ban on fresh recruitment on casual labour, his appointment was void ab initio. Lastly, it is pleaded by the management that the Railway is not an Industry and as such the provisions of Industrial Disputes Act, 1947, do not apply to it.

5. No evidence has been given by either side in this case. On 19-8-92, it was submitted before the Tribunal by the authorised representatives for the parties that it is a case where the Railway terminated the services of the workman on the ground of his having secured employment on the basis of fake service card. It was further stated by them that no written order terminating his services was passed. In this case the management have raised a legal plea that the Railway is not an industry and consequently the provisions of Industrial Disputes Act, 1947, do not apply to the Railway. This plea has been examined by me in many other cases of the Railway and I have held that the Railway is an industry within the meaning of Sec. 2(j) of the Industrial Disputes Act, 1947. I see no reason to differ with my earlier view.

6. It is a case where admittedly the services of the workman were terminated on the ground that he had procured employment in the railway on the basis of fake service card. It is not denied by Sri B. N. Bhattacharya, the authorised representative for the management, that no show cause notice was ever issued to the workman nor any disciplinary proceeding under the Railway Servants (Discipline and Appeal) Rules, 1968, were held against him. Without a show cause notice even the unwritten order regarding termination of the services cannot be upheld. The workman has corroborated his case on the point that he had acquired temporary status.

7. The management have also raised the plea that since there was a ban on fresh recruitment of casual labour, the appointment of the workman was void ab initio. As said earlier no written order was passed by the Rly. in connection with the termination of the services of the workman or with regard to the cancellation of his appointment. It, therefore, cannot be said that the services of the workman were terminated or his selection cancelled on the ground that he was recruited against the ban imposed by the Railway Board. However, the management will be at liberty to raise such a plea in subsequent proceedings in relation to this workman.

8. Hence, the order cannot be upheld. However, as held by me in I.D. No. 302/89 in the matter of dispute between this very Union and D.R.M. Central Rly. Jhansi on the basis of the order dt. 30-5-90 of Central Administrative Tribunal, Allahabad, in O.A. No. 160/89 Tula Ram Versus Union of India and other filed by this very Union, the workman cannot be awarded back wages while ordering his reinstatement.

9. Held that the action of the management in terminating the services of the workman w.e.f. 21-11-86 is illegal and unjustified. The workman is consequently held entitled to his reinstatement but without back wages.

10. The management will be at liberty to proceed with the case of the alleged production of fake service card in accordance with the law.

11. Reference is answered accordingly.

ARJAN DEV, Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2652.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे शासी के प्रबन्धतात्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

मि. एन-41012/135/89-ग्राइ आर (डी ए) (पी टी)]

के. बी. बी. उणी, डेस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2652.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employer, in relation to the management of Central Railway, Jhansi and their workmen, which was received by the Central Government on 16-9-92.

[No. L-41012/135/89-IR(DU)(Pl.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL, PANDU NAGAR,
DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 166 of 1990

In the matter of dispute between :

President,
Rashtriya Chaturtha Shreni Rail Mazdoor Union
Congress (Intuc) 2/336 Namneir, Agra.

AND

Senior Divisional Engineer,
Central Railway, Jhansi.

AWARD

1. The Central Government vide its notification No. L-41012/135/89-IR(D.U.) dated 27-7-90, has referred the following dispute for adjudication to this Tribunal—

Whether the Sr. DEN Central Railway, Jhansi is justified in terminating the services of Sri Om Prakash son of Sri Damodar under Chief PWI Mathura Jn w.e.f. 7-8-87? If not what relief the workman concerned is entitled to?

2. The industrial dispute on behalf of the workman has been raised by Rashtriya Chaturth Shreni Rail Mazdoor Congress Intuc Agra through its President

3. The case of the Union in short is that the services of the workman who acquired temporary status after putting in 120 days of continuous services and who had become entitled to regularisation of his services on account of his having worked continuously for 240 days were terminated on the ground that at the time of his engagement he had produced a service card which on inquiry was found to be fake. The Union alleges that the order is illegal inasmuch as his services were terminated without holding any inquiry against him under Railway Servants (Discipline & Appeal) Rules, 1968 and in violation of the provisions of section 25F & 25G of the I.D. Act. The Union further alleges that there are instances where persons who had procured service in the Railway on the basis of fake service card were given fresh appointment. The Union has, therefore, prayed for the reinstatement of the workman with full back wages.

4. The case is contested by the management. The management plead that railway is not an industry nor the provisions of I.D. Act, 1947, apply to it. Since the workman had procured service in the railway producing forged service card, his services were cancelled.

5. On 19-8-92, it was stated before the Tribunal by the authorised representative for the parties that the railway administration passed no written orders while terminating the services of the workman. His services were said to have stood terminated as he had secured employment on the basis of fake service card.

6. In this case the Union examined the workman. But none was examined by the management in support of their case.

7. In the two legal pleas raised by the management that the Railway is not an industry and that the provisions of I.D. Act do not apply to the railway, I find no force in it. Such pleas have been raised in a number of cases by Sri B. N. Bhattacharya, authorised representative for the management, even before but these pleas have been negatived by me and I do not see any reason to differ with my earlier view.

8. It is a case where admittedly the services of the workman were terminated on the ground that he had procured employment in the railway on the basis of a fake service card. It is not denied by Sri Bhattacharya that no show cause notice was ever issued to the workman nor any disciplinary proceeding under the Rly. Servants (Discipline & Appeal) Rules, 1968, were held against him. Without a show cause notice even the unwritten order regarding termination of the services cannot be upheld. The workman has corroborated his case on the point that he had acquired temporary status.

9. Hence, the order cannot be upheld. However, as held by me in I.D. No. 302/89 in the matter of dispute between this very Union and D.R.M. Central Railway, Jhansi, on the basis of the order dt. 30-5-90 of Central Administrative Tribunal Allahabad in O.S. No. 160/89 Tula Ram Vs Union of India and other filed by this very Union, the workman cannot be awarded back wages while ordering his reinstatement.

10. Held that the action of the management in terminating the services of the workman w.e.f. 7-8-87 is illegal and unjustified. The workman is consequently held entitled to his reinstatement but without back wages. The management will be at liberty to proceed with the case of the alleged production of fake service card in accordance with the law.

ARJAN DEV, Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2653.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सीनियर सुपरिटेंडेंट आके पोस्ट आकिस लावनडे के प्रबंधनतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुया था।

[स. एल--40012/114/89--डी-2 (बी) (पी टी)]

के. बी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2653.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Supdt. of Post office Lucknow and their workmen, which was received by the Central Government on 16-9-92.

[No. L-40012/114/89-D. II(B) (Pt.)]

K. V. B. UNNY, Desk Officer
2413 GI/92-12

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT
PANDU NAGAR, KANPUR

Industrial Dispute No. 162 of 1990.

In the matter of dispute between :

Sri Roop Ram Verma,
C/o Sri D. R. Saxena,
189 New Modal House,
Lucknow.

AND

The Senior Superintendent of Post Offices Chowk
Lucknow

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-40012/114/89-D-2(B) dt. 25-7-90 has referred the following dispute for adjudication to this Tribunal :—

Whether Senior Superintendent of Post Offices Chowk Lucknow was justified in terminating the services of Sri Roop Ram Verma S/o Sri Durga Prasad as E. D. Packer w.e.f. 23-12-88? If not, what relief the workman was entitled to?

2. The workman's case in brief is that he was appointed as E. D. Packer Post Office Topkhana Bazar, Lucknow, on 2-6-86 in place of Sri Anil Kumar Tewari, a regular E. D. Packer. Sri Tewari who had first started working as temporary postman, after passing the examination, became a regular postman. After his appointment as E. D. Packer, he continued working till 22-12-88 whereafter his services were terminated without complying with the provisions of section 25F I. D. Act, 1947, with a view to accommodate another man. In fact because of his working against the post of Sri Tewari, he was entitled to become a regular E. D. Packer on Sri Tewari becoming a regular postman. The order of termination of his services being illegal, he is entitled to reinstatement with full back wages.

3. The management plead that Sri Roop Ram Verma was never appointed as a E. D. Packer. He worked as a substitute of Sri Tewari on Sri Tewari's risk and responsibility. He was merely an agent of Sri Tewari so far as the postal authorities are concerned. Since Sri Verma was the substitute of Sri Tewari, he ceased to be his substitute from the date Sri Tewari vacated the post. The vacancy so caused had to be filled up by making fresh appointment for the post of E. D. Packer as per prescribed procedure. E. D. Agent is not a regular worker but he holds the post under the Administrative Control of the State. However, his post is outside the regular civil post inasmuch as E. D. Agent can have other avocations also. The Conduct and Service of a E. D. Agent is governed by the provisions of E. D. A. Rules 1964. Thus the E. D. Agent is not a workman within the meaning of I. D. Act, and consequently he is not entitled to any relief. I. D. Act, 1947, is not applicable to the present case.

4. In support of their respective cases both sides have led oral as well as documentary evidence. Whereas the workman examined himself, the management have examined Sri Ishwar Din Senior Superintendent of Post Offices. During the course of his arguments the authorised representative for the management have raised a plea that the post and Telegraph Department is not an industry within the meaning of section 2(j) of the Act. On the other hand it has been contended by Sri D. K. Saxena authorised representative for the workmen that it is an Industry.

5. After hearing the two sides and after going through the provisions of I. D. Act 1947, specially section 2(j) and section 2(n) of the Act and some of the rulings, I am of the view, that there is no force in the plea raised by the management on the point

6. In section 2(n) Posts & Telegraph Department has been described as a Public Utility Services. In the following rulings it has been held to be an Industry.

1. Kunjan Bhaskaran Versus Sub Div. Tele. 1983 Lab IC 135 (Kerala).
2. Ashok Kumar Sinha Versus Union of India. 1983 Lab IC 670 Central Administrative Tribunal Calcutta.
3. B. Lalithakumari Versus Div. Engg. (Cables) Telephones District Vellayambalam, Trivendrum 1984. (49) FLR 57 (Kerala)

7. The second point to be considered in this case is whether or not there had been any violation of the provisions of section 25F I. D. Act. by the postal authorities. In his affidavit, the management witness has deposed that Sri Verma was not an E. D. A. but was a substitute of Sri Anil Kumar Tewari who was an extra departmental agent working as Extra Departmental Packer, Topkhana Bazar Post Office Lucknow. Sri Verma was engaged by Sri Tewari as his substitute during his absence from the post of E. D. Packer while he was working as outsider postman in G. P. O. Lucknow. While working as outsider postman he maintained his lien on the post of E. D. Packer Topkhana Bazar Post Office till he was regularly appointed as outsider postman. In case he was to revert back as E. D. Packer, he was to get back his job. He has further deposed that the post of E. D. Packer fell vacant on permanent absorption of Sri Tewari on the post of outsider postman and Sri Verma who was his substitute had also to go.

8. In the Claim statement although the workman claims to have been appointed as E. D. Packer post Offices Topkhana Bazar, Lucknow, he specifically writes that his appointment was in place of Sri Anil Kumar Tewari, a regular E. D. Packer. It is also stated that Sri Tewari had started working as temporary postman and after passing the examination became a regular postman. In his cross examination the workman has admitted that at the time of his initial appointment he was not issued any letter of appointment. He has also admitted that before his appointment no test of his was ever held nor he was interviewed. He further admits that the post of E. D. Packer on which Sri Anil Kumar Tewari was work-

ing was never advertised for filling it up. Even no applications were invited from candidates to fill up the posts. He was simply called by Sub Post Master Topkhana Bazar and asked to write an application for working in place of Sri Tewari. On his giving such an application he was kept as a substitute in the place of Sri Tewari.

9. Rule 5 of E. D. A. (Conduct & Service) Rules, 1964 is on the point of leave to which an E.D.A. is entitled. I have before me a book on these rules by Sri P. Muthuswamy 4th Edition. At page 21 of the book below the leave are referred Director General's Instructions. I shall be referring to instructions no. 2 and 4. From these instructions it appears that an E. D. Agent can be given leave upto 180 days but leave in excess of it may be granted by Heads of Circles where the necessity for leave arises due to E. D. A officiating in a departmental post. It is further provided that during the leave, every E. D. A. should arrange for his work being carried on by a substitute who should be a person approved by the Authority Competent to sanction leave to him.

10. From the above evidence, we can come to the conclusion that the status of Sri Verma was that of a substitute of the men who was actually holding the post of E.D.A. Being a substitute agent of the E.D.A. by no stretch of imagination he can be held as an employee of the Postal Department. He cannot be held liable for any tortious act nor the postal department could take disciplinary proceeding against him. Had he been an employee of the postal department, the postal department could hold him responsible for his tortious act and could take in appropriate cases disciplinary proceedings against him.

11. In his cross examination, the workman has deposed that the post of E. D. Packer at Post Office Topkhana Bazar, Lucknow, fell vacant some time in October or November 1988 while Sri Tewari was absorbed as a permanent postman in the services of the Post Offices. His termination as per reference order and as facts stated by him in the claim statement was w.e.f. 23-12-88. It follows, therefore, that till some time October/November 1988, he was not the employee of the postal Department. He was simply substitute of Sri Tewari E. D. Packer. So the period from the date of his working as substitute till some time October/November, 1988 cannot be taken into account for the purposes of determining the point whether or not he has worked continuously for one year within the meaning of section 253 I. D. Act. His working from that time onwards, till 22-12-88 does not satisfy the requirement of section 25B I. D. Act. So it cannot be held that there had been any violation of the provisions of section 25F I. D. Act by the postal Department.

12. In para 6 of his affidavit, the management witness has deposed that after the post of E. D. Packer had fallen vacant on the appointment of Sri Tewari as a regular postman recruitment process for filling the post of E. D. Packer was started by inviting names from the Employment Exchange. Unfortunately the name of Sri Verma was not Sponsored by the Employment Exchange. The management witness has filed with his affidavit the copy of list of candidates whose names were sponsored by the Employment Exchange. In his cross examination the work-

man has deposed that he does not know whether or not to fill up vacancies of E. D. Packer, the Postal Department invited names from the Employment Exchange.

13. At page 57 of the book referred to above, the method of recruitment of E. D. A. is given. It refers to the minimum and maximum age for employment, educational qualification etc. and at page 67 it is stated that the recruitment of E. D. A. should be through Employment Exchange.

14. There is nothing from the side of the workmen to prove that after the post had fallen vacant he was appointed as E. D. Packer. So to my mind he is entitled to no relief.

15. Before parting with the award I would like to say that during the course of argument a point was raised by the authorised representative for the management that E. D. As are not governed by the provisions of I. D. Act. In this connection reference may be made to a ruling in the case of Bijoy Kumar Bharti and others Versus State of Bihar and others 1983 Lab IC 1984 (F. B. Patna). It was held by their Lordships that if there are enactment, or rules framed under article 309 of the constitution which either expressly or by necessary implication exclude the operation of the Industrial Disputes Act, no question of applicability of the provisions of the Act arises. The mere fact that there is a service code dealing with some of the aspects of the employer employee relationship between the Government and its employees does not amount by necessary implications to the exclusion of the provision of the act to government departments. If there were rules for instance, specifically dealing with the manner in which temporary appointments would be terminated it could legitimately be argued that section 25F I. D. of the Act is excluded. For then rules framed under the Constitutional provisions would have precedence over the provisions of the Act. It is not possible to accept the extreme contention that the provisions of the Industrial Disputes Act do not at all apply to government servants.

16. I need not enter into this question specially when it has been found by me that even if the provisions of I. D. Act 1947 are held applicable in the case of Sri Verma, Sri Verma is not entitled to any relief. It has not been specifically shown to me that E. D. A. Conduct Service Rules have been framed under Article 309 of the Constitution of India.

17. Held that the action of the Sr. Suptd. of Post Offices Chowk Lucknow in terminating the services of Sri Verma w.e.f. 23-12-88 cannot be held as unjustified. Consequently, he is entitled to no relief.

18. Reference is answered accordingly.

Dated 2-9-1992.

Sd/-
ARJAN DEV, Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2654.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में,

केन्द्रीय सरकार सीनियर पोस्ट मास्टर हैंड पोस्ट अफिस लखनऊ के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानून के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[सं. एल-40012/14/90-आई. आर. (डी. पू.) (पीटी)]

क. वी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2654.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Post Master, Head Post Office, Lucknow and their workmen, which was received by the Central Government on 16-9-1992.

[No. L-40012/14/90-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 274 of 1990

Sri Phool Chand,

C/o. Sri Ram Sagar Kori,
C/o. Dr. Mahendra Singh,
116-B, Faizabad Road, Lucknow.

AND

Senior Post Master,
Chowk Head Post Office,
Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-40012/14/90-I.R. (D.U.) dated 22/30-11-1990, has referred the following dispute for adjudication to this Tribunal :—

Whether the Sr. Post Master, Chowk Head Post Office Lucknow was justified in terminating the services of Sri Phool Chand, S/o. Sri Ram Sagar Kori as EDDA w.e.f. 13-7-1989? If not, to what relief the workman is entitled?

2. The workman's case in brief is that he was appointed on regular basis after observing all due formalities of selection procedure as E.D. Village Postman (hereinafter referred to as EDVP) vide appointment letter dated 2-1-1988, copy annexure 1. Pursuance to the letter of appointment, he took over charge as EDVP on 4-1-88 vide charge report, copy Annexure 2. He alleges that while he was working

as EDVP, he was ordered to work as outsider post man in a leave vacancy in the head post office Chowk Lucknow by the Senior Post Master vide his letter dated 22-4-1988, copy Annexure 3. He further alleges that Mohd. Khalid in whose vacancy he was initially appointed was put back to it on 5-1-1989 and in consequence thereof he became surplus. However, Senior Post Master Chowk Lucknow vide his order dated 5-1-1989 copy Annexure 6, appointed him as E.D. Packer Chowk Head Post Office from that very date (forenoon). However, his services were abruptly terminated vide order dated 13-7-1989, copy Annexure 8 by the Senior Post Master Chowk Lucknow abruptly without complying with the provisions of Section 25F, of the I.D. Act. The workman alleges that Posts and Telegraph Department is an industry and he as a workman is entitled to the benefits as envisaged under the I.D. Act, 1947. His termination is also against the instructions contained in Letter No. 2-10/88 PE-1 dated 19-2-1988, of D.G.P&T, New Delhi. There had been 8 vacancies of regular postman on which outsiders had been deputed to work and as such, he being a senior candidate has a right to continue and entitled to be deemed to be in continuous appointment even after 13-7-1989. He has therefore, prayed for his reinstatement with continuity of service and full back wages. He has also claimed Rs. 5,000/- as damages for physical and mental pain and financial hardship to which he has been put by the management. Lastly, he has prayed for the cost of the proceedings.

3. In this case written statement was filed from the side of the management but on 21-5-1992, the case preceded ex parte against the management. I may state here that the management have not generally disputed the facts alleged by the workman. According to the management the workman was engaged purely on temporary and provisional basis as EDVP vice Sri Mohd. Khalid who was put off duty with the clear order that the workman's appointment would be only till the decision of the case pending against Sri Mohd. Khalid. In short term vacancies like leave etc., in post man cadre outsiders are engaged and when regular and permanent postman join their duty, outsiders are relieved. As such outsiders have no claim for their regular appointment on any post in the Department. Formalities regarding selection procedure are also observed in case of provisional/temporary appointment of short term vacancies. The workman did not work even for a single day on the post of E.D. Packer and that Director, Postal Services, Lucknow Region, after reviewing the appointment file passed order for the cancellation of the appointment of the workman with immediate effect. As such the workman is entitled to no relief.

4. Despite the fact that on 21-5-1992, the case was ordered to proceed ex parte, the case was argued on behalf of the management by Sri Durga Prasad Gupta who also referred to the ruling of C.A.T. Allahabad.

5. In support of his case the workman has filed his affidavit dated 30-11-1991 by means of it he has corroborated the case as set up by him in the claim statement.

6. Annexure 1, to the claim statement is the copy of letter of appointment dated 2-1-1988 issued by Senior Post Master Chowk Lucknow. It is stated in the appointment letter that he was being appointed as E.D.V.P. only temporarily and provisionally till the decision of the case pending against EDVP Sri Mohd. Khalid. This fact that his appointment is purely temporarily and provisional has been again referred to in subsequent paragraphs i.e. after para 1. In para 5 of his claim statement the workman has deposed that Sri Mohd. Khalid in whose vacancy he was initially appointed to work was put to duty on 5-1-1989 and in consequence thereof he had become surplus. It is further stated in this very para of the claim statement that he was appointed as B.D. Packer Chowk, Lucknow vide his order dated 5-1-89 copy Annexure 6.

7. From the above facts it becomes evident that his appointment as EDVP was not for an indefinite period but was only till the case of EDVP Mohd. Khalid was decided. It is further evident that on resumption of duty by Sri Khalid his services as EDVP came to an end. It is also evident that with the expiry of his tenure of his services as EDVP he was given the appointment from 5-1-89 as B.D. Packer Chowk, Lucknow.

8. The question is whether the whole of the period from 4-1-1988 to 12-7-1989 shall be taken into account for the purpose of determining the point whether or not there had been any compliance of the provisions of Section 25F I.D. Act by the management. In this connection I would like to refer to the Division Bench Ruling of the Kerala High Court in the Case of K. Rajan and another versus the Kerala State Electricity Board and others 1992 Lab. IC 1208. It was a case where there were two petitioners. Both were appointed for a period of 179 days as Meter Reader or till Public Service Commission candidate report for duty or as and when the Electricity Board deemed it necessary to terminate their services. It was held by their Lordships, after considering various rulings, that termination of their services did not amount to retrenchment within the meaning of Section 2(oo). In their case Section 2(oo) and Section 25H I.D. Act are not attracted.

9. Thus the ruling applies with full force to the facts of the present case. The appointment of the workman was provisional and temporary and was to last till decision in the case of E.D.V.P. Sri Mohd. Khalid. Therefore, to my mind the period of his employment from 4-1-1988 to 4-1-1989 will not be taken into account for the purposes of looking into the question of compliance of Section 25F I.D. Act, 1947.

10. We are thus left with the period of his appointment as B.D. Packer from 5-1-1989 to 12-7-1989. The number of working days comes to 189 days i.e. much less than 240 days as contemplated by Section 25B of I.D. Act, 1947. Hence it cannot be held that there had been any violation of Section 25F I.D. Act by the management. To remove any doubt

on the question of retrenchment I may state here that the action of the management after his appointment as B.D. Packer would amount to retrenchment within the meaning of Section 2(oo) of the Act. In this connection I may also refer to Annexure 6 to the claim statement which is copy of letter of appointment dated 5-1-1989 issued by Senior Post Master, Chowk, Lucknow. It is stated in the letter that he was being appointed as B.D. Packer Chowk, Lucknow from 5-1-1989 on terms and conditions laid down in B.D. Conduct and Service Rules, 1964 revised from time to time.

11. The question of compliance of Section 25F of I.D. Act 1947, has been considered by me taking for the time being that Posts & Telegraph Department is industry within the meaning of Section 2(j) I.D. Act. However, from the side of the management Sri Durga Prasad Gupta an official of the Department has argued that it is not an industry and in support of his contention he has referred to order dated 11-9-90 of Central Administrative Tribunal, Allahabad, in Registration T.A. No. 1239 of 1987 Achhaibar Lal Versus Union of India. It was a case between a daily rated casual labour and the Telephone Department. The Hon'ble Judicial Member Sri D. K. Agrawal, held that Telephone Department is not an industry within the meaning of Section 2(j) of the Act.

21. With utmost respect I am unable to follow the view expressed by the Hon'ble Judicial Member because of some other ruling of C.A.T. and Hon'ble High Court.

I hereby refer to the following rulings on the point—

1. Kunjan Bhaskaran and others versus Sub Divisional Telephone 1983 Lab. IC 135 (Kerala).

It was held after detailed discussion the provisions of I.D. Act, 1947, and the law laid down in various rulings that the P&T Department is an Industry.

2. Ashok Kumar Sinha Versus Union of India 1989 Lab. IC 670 Central Administrative Tribunal, Calcutta.

In this case also C.A.T. Calcutta, in para 6 of their order held that Posts and Telegraph Department is an Industry.

3. Order passed in Registration No. M.48(G)T of 1986 dated 30-5-1986 in Hari Mohan Sharma Versus Union of India and others, CAT Allahabad (Jabalpur Bench) (Citation not given).

In para 25 it was held by the Hon'ble Administrative member and Hon'ble Judicial Member that Posts and Telegraph Department is an industry.

Hence, I hold that the Posts & Telegraph Department is an industry within the meaning of Section 2(j) of the I.D. Act, 1947.

13. During the course of argument Sri Dubey, the authorised representative for the workman contended that since no opportunity of hearing was given to the workman before terminating his services, the order of termination is bad in law. For this he has relied upon the ruling 1989 Lab IC 670 (Supra). I have gone through the ruling and find that it is distinguishable on facts. It was a case where the petitioner was appointed as E. D. under the Post Master on 26-3-80 and his services were terminated by an order dt. 7-6-82 received by him on 14-6-82. Thus it was a case where the petitioner had already worked continuously for more than a year so as to attract the provisions of section 25F I. D. Act, 1947. It is also referred to in this ruling. Further it was a case where during the tenure of the petitioner a complaint was received from a person to the effect that the petitioner with an ulterior motive inserted his name as his nominee in his application for opening a new Savings Bank account. As a result of the inquiry conducted by the Inspector of Post Offices, services of the petitioner were terminated without giving him an opportunity to show cause why the service be not terminated. It was on this count that the order of termination was held as bad. In the present case there is no such thing. Hence, I find no force in the submission of Sri Dubey.

14. Held that the action of the Senior Post Master, Chowk H. P. O., Lucknow, in terminating the services of the workman w.e.f. 13-7-89 cannot be said as unjustified? Consequently the workman is entitled to no relief.

15. Reference is answered accordingly.

Sd/-

ARJAN DEV, Presiding Officer.

Dated 2-9-1992.

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2655.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे जास्ती के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[सं. एल-41011/33/88-डी-2 (बी) (पी टी)]

के. बी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 18th September, 1992

S.O. 2655.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Railway, Jhansi and their workmen, which was received by the Central Government on 16-9-92.

[No. L-41011/33/88-D.II(B) (Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI ARJAN DEV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 146 of 1989

In the matter of dispute between :

Sri Surendra Singh, President, Rashtriya Mazdoor Congress, Ut^{ar} Pradesh, 2/236, Namneir, Agra.

AND

The Divisional Engineer, Central Railway, Agra.

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-41011/33/88-D. 2(B) dt 26th May, 1989, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management in terminating S|Sri Ram Prasad & Nand Lal working under P.W. I(C) C. Rly. Jhansi w.e.f. 19-3-86 and Sri Kailash Narain working under IOW (C) C. Rly. Jhansi, w.e.f. 19-1-88 is justified ? If not, to what relief the workmen are entitled to ?

2. The Industrial dispute on behalf of the three workmen named in the reference order has been raised by the President, Rashtriya Mazdoor Congress, Agra (hereinafter referred to as Union).

3. The case of the Union is that all the three workmen who had been working under PWI (C) Central Rly. Jhansi, acquired temporary status after completion of 180 days service where office whereas the management gave MRCL grade to workman Sri Kailash Narain, other two, namely, S|Sri Ram Prasad, Nand Lal were not given the said grade. The result was that when these two workmen made a similar demand their services were terminated by the management in an illegal manner on the false ground that they had obtained employment on the basis of a fake service cards on 19-3-86. While terminating their services, the principle of natural justice were not followed. They were not given an opportunity to explain their conduct. The order of termination is also illegal because their services were terminated in violation of the provision of section 25F and 25G of I.D. Act. The Union has further alleged that the railway have re-engaged persons whose services had been terminated in a similar manner on the ground that they had acquired employment on the basis of fake service card. In fact before terminating their services the management should have taken the disciplinary proceedings against them in accordance with Railway Servants (Discipline & Appeal) Rules, 1968. As regards Sri Kailash Narain it is alleged by the Union that on the false grounds of production of fake service card at the time of entry into the service a show cause notice was issued to him and consequently a major

chargesheet in SF V has been issued to him, however, he is still continuing in service. The Union has therefore, prayed for the reinstatement of S|Sri Ram Prasad and Nand Lal with full back wages and for regularisation of the services of Sri Kailash Narain by declaring the notice issued to him as illegal.

4. The management plead that all the three workmen had obtained employment on the basis of fake service card, therefore, their appointment were void ab initio. The workmen never became railway employees and their services could be terminated without any notice or without taking any disciplinary action against them. In fact, the administration erred in giving them 15 days show cause notices or starting disciplinary proceedings against Sri Kailash Narain workman. The management deny that any of them had ever acquired temporary status. S|Sri Ram Prasad and Nand Lal are not entitled to any relief because of the above reasons and also because of the fact that they themselves stopped coming on duty after receiving show cause notices. Thus none of the workmen is entitled to any relief.

5. In support of their respective cases both sides have relied upon documentary evidence. The Union has further examined S|Sri Nand Lal and Kailash Narain.

6. As we have seen, in the claim statement, it has been alleged by the Union that the Disciplinary Proceeding are pending against workmen Sri Kailash Narain who still continues to be in service. The same fact has been deposed by Sri Kailash Narain in his statement. Therefore the reference order so far as this workmen is concerned is misconceived. The reference order shows as if his services had been terminated w.e.f. 19-1-88.

7. Ext. M.1 and Ext. M.4 are the copies of show cause notices dt. 15-3-86 issued by P.W.I. (C) Jhansi to Sri Ram Prasad and Sri Nand Lal workmen respectively. In both these notices it is stated that casual labour cards produced by them at the time of entry in the railway service, on investigation have been found forged/false. Since they had obtained employment on the strength of such cards, P.W.I. (C) Jhansi called upon them to explain within a period of 15 days why their services should not be terminated for the aforesaid reasons. There is no document on record to show that after the show cause notices any order terminating their services was ever passed by the disciplinary authority. This fact has also not disputed by Sri B. N. Bhattacharya, the authorised representative for the management. After issuing show cause notice, in the absence of any explanation given by them, the disciplinary authority should have passed orders terminating their services. Although a plea of abondonment of job by them have been set up by the management in their written statement, the management have not led any evidence on the point.

8. It is not denied by Sri Bhattacharya that no disciplinary proceedings in accordance with law had been taken against these two workmen. Moreover, it appears that with the show cause notices, copies of evidence on the basis of which it was concluded that the casual labour cards produced by them at the time of entry into the service was ever furnished to the workmen, namely, S|Sri Ram Prasad and Nand Lal.

9. In the circumstances, the termination of the services of the two workmen cannot be upheld, i.e., to say the action of the management cannot be held as justified.

10. In this case the Union has filed the copy of order dt. 23-5-90, of C.A.T., Allahabad, in Registration O.A. No. 160/89 Tula Ram Versus Union of India. The facts of the case in which the order was passed are similar to the facts of the present case. The Central Administrative Tribunal reinstated the workman but did not grant him the relief of back wages. Further it appears that it gave the liberty to the Railway to conduct a proper inquiry in the matter of the casual labour card in accordance with the principle of natural justice and take suitable action according to law. Sri Surender Singh, the authorised representative for the Union submits that the case of these two workmen should be decided on these lines. I agree.

11. Held that the reference in respect of Sri Kailash Narain is misconceived inasmuch as he is still in service of the railway and that his services have not been terminated by the railway w.e.f. 19-1-88. Further held that the action of the management in terminating the services of S|Sri Ram Prasad and Nand Lal w.e.f. 19-3-86 is unjustified. Both the workmen are reinstated in service but without back wages. The management shall be at liberty to conduct a proper inquiry against them in the matter of casual labour cards in accordance with the principles of Natural Justice and take suitable action according to law.

12. Reference is answered accordingly.

Dated 4-9-92

ARJAN DEV, Presiding Officer

नई दिल्ली, 18 सितम्बर, 1992

का. आ. 2656.—ओद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केंद्रीय सरकार मलेशिया रिसर्च सेन्टर, नई दिल्ली के प्रबन्धालंब के संगठन नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट ओद्योगिक विवाद में केंद्रीय सरकार ओद्योगिक अधिकारण जबलपुर के पंचवट को प्रकाशित करती है, जो केंद्रीय सरकार को 16-9-92 को प्राप्त हुआ था।

[सं. एल-42011/37/90—आई.आर. (डीयू) (पीटी)]

के. वी. वी. उण्णी, डैस्ट्रक्ट अधिकारी

New Delhi, the 18th September, 1992

S.O. 2656.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure, in the industrial dispute between the employers in relation to the manage-

ment of Malaria Research Centre, New Delhi and their workmen, which was received by the Central Government on 16-9-1992.

[No. L-42011/37/90-IR(DU) (Pt.)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE HON'BLE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(39)1991

PARTIES :

Employers in relation to the Management of Malaria Research Centre, Jabalpur (M.P.) and their workmen S|Shri Surender Upadhyaya and Ramesh Bhatia Cl. Shri Ramesh Kumar Bhatia, General Secretary, All India Malaria Research Centre Employees Association, Branch Office, House No. 12, Bari Omti, Jabalpur (M.P.).

APPEARANCES :

For Workmen.—None.

For Management.—Sri Awadhi K. Ram, Advocate.

INDUSTRY : Malaria Research Centre

DISTRICT : Jabalpur (M.P.)

AWARD

Dated : September 3rd, 1992

This is a Reference made by the Central Government, Ministry of Labour, New Delhi, vide Notification No. L-42011/37/90-IR(DU) dated 12-3-1991, for adjudication of the following dispute :—

“Whether the action of the Malaria Research Centre, New Delhi in transferring Shri Surender Upadhyaya and Shri Ramesh Bhatia, vide their order dated 10-4-1990 is justified? If not, what relief they are entitled to and from what date?”

2. Both the parties filed their respective statement of claims except the workman Shri Surendra Upadhyaya. On behalf of workmen certain documents have been filed. No rejoinder has been filed by either side. The case was fixed for filing documents by the parties and framing of issues. One of the concerned workmen, Shri Ramesh Bhatia appeared on 17-2-1992, 20-3-1992 and 31-3-92. Thereafter no body appeared on behalf of the workman on 31-7-92, 18-8-92, 28-8-92 and 2-9-92. Therefore the progress of the case has been held up.

3. The case of the workmen in brief is that being Vice President and General Secretary respectively of the All India Malaria Research Centre Employees Association they were the protected workmen. They raised certain demands on behalf of the Association. The management transferred them with malafide intention to stop the union activities. Therefore the order of transfer dated 19-4-1990 is liable to be quashed.

4. The management in their statement denied all allegations made in the statement of claim of the workmen concerned.

5. On 2-9-1992 Counsel for Management stated

that Shri Ramesh Bhatia has already been retransferred to Jabalpur. Therefore no dispute remains to be adjudicated in respect of Shri Bhatia. The other workman, Shri Surendra Upadhyaya is neither appearing nor contesting the case though the reference is pending since 27-3-1991. Shri Upadhyaya never appeared before this Tribunal to contest his case. Therefore it appears that he has no interest in prosecuting his case. I therefore proceed to pass a No Dispute Award with no order as to cost. Reference is answered accordingly.

V. N. SHUKLA, Presiding Officer